AGENDA

For the Ordinary Meeting of Council
To be held on
Tuesday, 11 October 2011
7.00pm
City of Albany Council Chambers

CITY OF ALBANY STRATEGIC PLAN (2011-2021)

The City of Albany Strategic Plan was adopted by Council on 16 August 2011 and is available at www.albany.wa.gov.au

The Plan states our vision and values as:

VISION

Western Australia's most sought after and unique regional city to live, work and visit.

VALUES

The values of the City of Albany apply to elected members and staff who commit to:

- Results
- Ethical behaviour
- Accountability
- Leadership

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XX. NEXT ORDINARY MEETING DATE

XXI. CLOSURE OF MEETING

I. DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

II. OPENING PRAYER

"Heavenly Father, we thank you for the peace and beauty of this area. Direct and prosper the deliberations of this Council for the advancement of the City and the welfare of its people. Amen."

ITEM 2.0: MOTION 1

1. **THAT Standing Order 3.1 be SUSPENDED to allow recording of proceedings.**
2. **THAT Standing Order 4.2(4)-Seating at Meetings of Council-be SUSPENDED to allow CEO Faileen James to be seated on the Mayor's right.**

III. ANNOUNCEMENTS BY MAYOR AND COUNCILLORS WITHOUT DISCUSSION

ITEM 3.0: MOTION

The Mayor's Report be RECEIVED.

IV. RESPONSE TO PREVIOUS UNANSWERED QUESTIONS FROM PUBLIC

V. PUBLIC QUESTION AND STATEMENT TIME

Each person asking questions or making comments at the Open Forum will be **LIMITED** to a time period of **4 MINUTES** to allow all those wishing to comment an opportunity to do so.

VI. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Mayor	MJ Evans

Councillors:

Breaksea Ward	R Hammond
Breaksea Ward	J Bostock
Frederickstown Ward	Vacant
Frederickstown Ward	D Wellington
Kalgan Ward	C Holden
Kalgan Ward	M Leavesley
West Ward	D Wolfe
West Ward	D Dufty
Yakamia Ward	J Matla
Yakamia Ward	R Sutton
Vancouver Ward	D Bostock
Vancouver Ward	Vacant

Staff:

Chief Executive Officer	F James
Acting Executive Director Corporate Services	P Wignall
Executive Community Services	L Hill
Executive Director Planning & Development Services	G Bride
Minutes	J Williamson

Apologies:

VII. APPLICATIONS FOR LEAVE OF ABSENCE

VIII. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

ITEM 8.0: MOTION

THAT the minutes of the Ordinary Council Meeting held on 20 September 2011, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.

IX. DECLARATIONS OF INTEREST

Name	Item Number	Nature of Interest

X. IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY SIT BEHIND CLOSED DOORS

XI. PETITIONS, DEPUTATIONS AND PRESENTATIONS

XII. ADOPTION OF RECOMMENDATIONS EN BLOC

RISK MANAGEMENT FRAMEWORK

The City of Albany Organisational Risk Management Framework, which will be used as a Reference Document for the "Risk Identification and Mitigation" Section for all Papers in the Agenda, has been previously distributed to all Elected Members.

1.1.1: BUSHCARERS ADVISORY COMMITTEE MEETING 25th MAY 2011

Proponent : City of Albany
Attachments : Minutes of the Bushcarers Advisory Committee meeting held 25th May 2011
Responsible Officer(s) : Chief Executive Officer (F James)

IN BRIEF

- Receive the minutes of the Bushcarers Advisory Committee

ITEM 1.1.1: RESPONSIBLE OFFICER RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

- **THAT the CONFIRMED minutes of the Bushcarers Advisory Committee meeting held on Wednesday 25th May 2011 be received.**

CEO:	RESPONSIBLE OFFICER:

BUSHCARERS ADVISORY COMMITTEE
MINUTES
For the meeting held at 3:30pm on Wednesday, 25 May 2011
In the Civic Centre

Meeting opened at 3:40 pm.

1.0 PRESENT
Committee Members: Cr Des Wolfe, Kim Stanton, Greg Freebury, Charlotte Powis and John Moore.
City of Albany Staff: Sandra Maciejewski, Mark Ford and Jane Allen (Minute Taker), and Faileen James (CEO) attended until 4 pm.

2.0 APOLOGIES
Val Davies, Matthew Kennewell and Graham Blacklock

3.0 CONFIRMATION OF MINUTES

Change wording of 6.4 to:

"Kim Stanton expressed concerns as to the lack of maintenance at the pump station."

Moved: K Stanton	**Seconded: D Wolfe**
That the minutes of the meeting of the 23rd February 2011 be confirmed as a true and accurate record of the proceedings.	
	CARRIED 4-0

4.0 CORRESPONDENCE
Nil

5.0 PRESENTATIONS BY FAILEEN JAMES, CITY OF ALBANY, CEO

5.1 The need for confirmed minutes to be presented to the Council
Faileen indicated that Committee minutes now need to be confirmed before being received by Council. The Committee expressed concern about the time lag between Committee meetings (i.e. 3 months), and the need for recommendations to go to Council quickly.

Faileen indicated that most support requests from the Committee can be obtained from the Mayor or CEO, without the need to be put up as a recommendation to Council. The

exception to this is budgetary items, which will need to go up as a recommendation to Council. The representative Councillor (i.e. Des Wolfe) can put up recommendations on behalf of the Committee, before the Minutes have been confirmed.

The Committee agreed to confirm their minutes at each consecutive meeting, with urgent recommendations being taken to Council by Des Wolfe. Other requests for support from the City can be arranged through Sandra.

5.2 City of Albany Strategic Plan Review

Faileen invited input into the strategic planning process, a draft plan of which is due by the end of June, and to be adopted by Council before September 30. Input can be provided by responding via the City of Albany website www.albany.wa.gov.au, filling in and submitting the booklet (provided at the meeting) or by attending one of the upcoming consultation sessions, details of which are also available on the website.

The themes of the Review are:

- Lifestyle and Environment
- Sustainability and Development
- Albany's Role as a Regional Hub
- Community Focussed Organisation
- Organisational Performance

6.0 BUSINESS ARISING FROM MINUTES

6.1 Weed control at Vancouver Waste Facility

In November 2010, Committee members visited the Vancouver Waste Facility at John Street. The purpose of the site visit was to assess the composting procedure being used for the green waste being collected from households within the City of Albany, and then sold to customers. The Committee and the Bushcarers Group had received some complaints indicating that weeds are growing out of the composted material.

Martin Shuttleworth, Director of Vancouver Waste, attended the site visit, and explained how the green waste is being processed. He indicated that he did not want to produce a product that was spreading weeds, and that he was happy to work with the Bushcarers Advisory Committee and Bushcarers Group on improving his product.

Sandra has emailed the recommendations from the Committee to Martin, which included a sign at the entrance about covering loads. Martin has indicated that he is happy for a sign to be erected at the entrance to the facility, and requested that another meeting be held for further discussions. John suggested we postpone the second meeting with Martin until the new site at Mindijup Rd has been approved, so we can provide him with advice regarding weed management on that site too.

ACTION: Val is arranging for the sign to be designed.

ACTION: Jane to let the Bushcarers Group know when the Open Day is to be held at Martin's new site at Mindijup Road, to enable this new site to be assessed.

6.2 Sydney Golden Wattle in the Little Grove Area

Charlotte informed the Committee that SCNRM has applied for $300,000 of grant funding for the control of Sydney Golden Wattle. The project would involve the employment of

four people to work with private land owners, in controlling this environmental weed. Machinery would be brought in to mulch material on site.

The target area would include the area from Princess Ave to Bald Head.

SCNRM should know by next Meeting (August) if funding is available.

In kind support (i.e. salaries), from City of Albany and Department of Environment and Conservation, will be used as in-kind contributions towards the project.

ACTION: Kim and Mark to arrange for a colour photo of Sydney Golden Wattle to be included with pamphlets to go out with the Community Newsletter to Little Grove residents. Big Grove and Frenchman Bay to be covered by other Committee members (to be decided).

6.3 Future of Yakamia Creek

Sandra reported, after speaking to one of the City's planning officers, that as subdivisions occur along Yakamia Creek, usually a 30 m wide reserve will be taken for the protection of the Creek. Comment from the planner was that the Creek is much altered, so direction on its future management is required.

6.4 Fire Management Requirements 2010-2011

Previously, Kim wished to clarify what type of "garden" is permitted on blocks less than 2,000 m^2, according to the *Bush Fires Act 1954*. Through discussions with the City's rangers, Sandra reported that there appears to no definition of an acceptable "garden", and that the City rangers inspect each property each year to determine if further works are required, based on it risk to fire.

6.5 Little Grove Sewerage Pump Station

Kim previously expressed concerns as to the lack of maintenance at the pump station on Marine Terrace, where Water Corporation had previously planted seedlings. Mark reported that he had visited the site, and that there weren't any Sydney Golden Wattles on the site, but *Acacia cyclops* which is a local native. Kim indicated that she would contact the Water Corporation to ask them to follow up on the works.

ACTION: Kim to follow up with Water Corporation

7 Reports from around the table

City of Albany Natural Reserves Team

Mark reported that the Reserves Team are involved in:

- Betty's Beach Remediation
- Revegetation at Betty's Beach, Bob Thompson Gardens, Lower Denmark Road
- Rural Areas including Palmdale and Bluff Creek
- Mulching at Manypeaks
- Wattle at Mercer Rd Reserve, Henry St, Bob Thompson Gardens, Redmond Town site, Mt Melville
- Green Skills – work done through Main Road Dept Budget and including Stidwell Bridle Trail, Bob Thompson Gardens
- Repairing trails on Mounts above Hare Street
- Maintaining causeway at Lake Seppings
- Water Corp remediating Watkins Rd

- Hill Road – gravel has been washed down, erosion occurring.

Department of Food and Agriculture
John requested a Sydney Golden Wattle contact point to be decided upon by the Committee.

ACTION: Charlotte will check to see if SCNRM can take on that role and report back to the next Meeting.

South Coast Natural Resource Management
Charlotte outlined that South Coast Natural Resource Management (SCNRM) are currently looking at a potential project involving the removal of Lantana species and replacing them with Native species. This programme has already been run in Esperance.

She also mentioned that a work crew has been working at a Lower King development site. 4kms of weed control had been carried out at Kalgan River and Manypeaks Reserve.

SCNRM are launching a booklet this weekend for setting up coastal gardens i.e. replacing weeds with other plants.

Department of Environment and Conservation
Greg Freebury stated that DEC has been carrying out work at Baker's, Torndirrup and West Cape Howe. He also mentioned that Warriup and Wellstead need to be looked at regarding Sydney Golden Wattle.

City of Albany Natural Reserves Planning
Sandra reported the following:

- Council has agreed to a new reserve being created under the management of the Conservation Council WA, including the currently unvested Crown land along the Hay River and Morley Beach.
- CEO to go out with Reserves Officers, Sandra and Alex, next week to look at projects such as Betty's Beach.
- Chipana Drive foreshore - rehabilitation work to be done.
- Work done at Torbay Inlet by SCNRM Noongar Team and Elleker Progress Association including bollards/signage. Vandalism is a problem.
- Seedlings for Torbay and Lowlands.

8.0 NEXT MEETING 24th August 2011

9.0 CLOSURE The meeting was closed at 5:20 pm.

CONFIRMATION: CHAIRPERSON: _____ **DATE:** 24. 8. 11.

1.1.2: AIRPORT USERS FOCUS GROUP COMMITTEE

File Number (Name of Ward)		CS.MEE.3
Proponent		City of Albany
Appendices	:	Confirmed Minutes of the Airport Users Focus Group Committee 18 July 2011
Responsible Officer	:	Community Services Leader (L Hill)

IN BRIEF

- Receive the minutes of the Airport Users Focus Group Committee

ITEM 1.1.2: COMMITTEE RECOMMENDATION

THAT the CONFIRMED minutes of the Airport Users Focus Group Committee meeting held on the 18 July 2011 be RECEIVED.

CEO:	RESPONSIBLE OFFICER:

ALBANY AIRPORT FOCUS GROUP COMMITTEE

MINUTES

for the meeting held 9.00 to 10.00 am Monday 18 July 2011
in the Albany Airport Conference Room

Document Ref: AM1119434 / CS.MEE.3

Terms of Reference: To review, monitor and provide strategic feedback on the Airport Business Plan and Masterplan.

1. ATTENDANCES:

Chair	Des Wolfe
Mayor	Milton Evans, JP

Community members :

Jason Balhorn	BOM Albany
Peter Aspinall	Albany Aero Club
Gerry Vander Ross	Budget Albany
Steve Johnson (Deputy Chair)	Skywest Albany
Ralph Burnett	Rainbow Coast Flying School
Hamish Wight	Rainbow Aircraft Maintenance
Joe Lacerenca	Sporting Amateur Aircraft Assoc

Staff:

Linda Hill	Community Services Leader
Deb Walker	Senior Airport Reporting Officer

Apologies/Leave of Absence:

John Wood	RAAF Pearce
Ian Williams	Albany Aviation
Mayor Milton Evans	City of Albany Mayor
Lindsay Joyce	Joyce Air Albany
Jacqui Daniel	Runway Cafe
Sally Cooper	Hertz Albany
Julie Biser	Great Southern Aviation
Mike Crawshaw	AVIS Albany
Liz Jeffers	AVIS Albany

Presiding Member:	
EMT Member Responsible for Committee:	

2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

ITEM 2.0 – COMMITTEE RECOMMENDATION

MOVED: S Johnson
SECONDED: P Aspinall

The minutes of the Albany Airport Users Focus Group Committee meeting held on 17th June 2011, previously distributed, be CONFIRMED as a true and accurate record of proceedings.

CARRIED 7/0

3. DISCLOSURE OF INTEREST

Nil

4. BUSINESS ARISING FROM PREVIOUS MINUTES

4.1 Recommendation 4.2 from 17 June meeting regarding proposed common area plan.
Ralph Burnett tabled letter from hangar tenants and Julie Biser.
Deb Walker requested an electronic copy of both letters.

4.2 Linda Hill presented a draft design of Albany Airport web page. Linda identified that the webpage will be a page on the City of Albany website devoted to the Airport and the services that are provided. Hyperlinks to individual businesses would be established. Committee will be asked to proof the text and nominate meta data. Once text approved, then page would loaded on City of Albany site and go live.

Linda confirmed that the web page would be a page on the City of Albany site NOT a separate website established for Albany Airport as previously identified (Item 4.10, 2 February 2011 meeting).

4.3 Royal Flying Doctors Service (RFDS) contacted by Deb Walker 4 July 2011. As of the time of this meeting no response was registered by RFDS.

4.4 Linda Hill identified that at present there were four airport committees. They are:

- Airport Safety Management System Committee
- Airport Transport Security Plan Committee
- Airport Emergency Committee
- Airport User Focus Group Committee.

Linda Hill noted that the security upgrade at Albany Airport and application for Screening Authority Licence will inform changes to the safety, security and emergency committee requirements. Additionally, in the context of a broader Council Committee governance review, it will be an opportunity to review Airport User Focus Group Committee with regard to the terms of reference and requirements of a committee of Council.

Peter Aspinall, Ralph Burnett and Joe Lacerenza felt the Airport User Focus Group Committee was a direct line back to council. Suggested changing title from 'Focus Group' to 'Advisory Committee'.

5. ITEMS FOR DISCUSSION

5.1 Progress of tender to upgrade security as legislated in amended Aviation Transport Security Act 2005. Linda distributed paper that was presented at Ordinary Council Meeting 17 May 2011 (Item 3.2) Albany Regional Security and Infrastructure Upgrade which provides an overview of the project.

Linda informed group that Peter Aspinall had been invited to sit on panel to review the Tender applications. Tender advertisement had generated a lot of attention and will close 21 July 2011.

Hamish Wight enquired if an extension to the time line for implementation of the upgrade was possible. Linda Hill advised that compliance with federal legislation was driving the time line as well as the opportunity to take advantage of the current availability of state and federal funding.

Deb Walker informed the group that Albany Airport security and access arrangements would be heavily scrutinized by the Office of Transport Security. This will impact on current security arrangements including vehicle access and monitoring with greater vigilance regarding access cards.

5.2 Runway 05/23 Blistering
Deb Walker stated blistering is worse than ever in a confined area and have had to close Runway 05/23 due to the severity and rapid reoccurrence of the blisters.

Discussed options and agreed that best course of action was to reinstate a displaced threshold (undertaken by aerodrome technical consultant) to ensure runway remains serviceable to aircraft. Deb Walker to organise as soon as possible.

Consideration would be given to allow spacing between serviceability cones for an aircraft to pass should an overshoot incident occur by a pilot. Deb appreciated the pilots request and stated that Airport staff have a responsibility to perform actions and carry out maintenance in accordance with the Manual of Standards 139 in line with the Civil Aviation Safety Regulations.

5.3 Vehicle safety on Albany Highway.
Ralph Burnett raised the high risk of an accident and several near misses experienced on the portion of Albany Highway outside entrance and exit to Albany Airport. It is dimly lit with traffic marking that some find confusing.

ITEM 5.3 MOTION

MOVED: P Aspinall
SECONDED: R Burnett

Invite Main Roads Regional Engineer and Malcolm Mallaby to the next AUFGC meeting scheduled for 2 September 2011.

CARRIED 7/0

5.4 Jason Balhorn of Bureau of Meteorology (BOM) informed group that the BOM would need to co-exist in both sites until October 2011 or even later (12 months) depending on availability of new radar.

Ralph Burnett was concerned that this would hold up progress with the establishment of new hangars and the City of Albany might need to consider amalgamating more sites and using common areas as future hangar sites.

Jason Balhorn has no objection to a new hangar being built on existing BOM site.

Linda Hill advised that this would be considered in the review of the Masterplan.

6. CORRESPONDENCE IN & OUT

- *Letter Received Ralph Burnett and Julie Biser 18 July 2011*

- *Email sent to Royal Flying Doctor Service 24 June 2011 by Deb Walker*

7. ITEMS TO BE DISCUSSED AT NEXT MEETING

1. Main Roads Department re entrance and exit to Airport.
2. Confirmation of hanger common areas.
3. Des Wolfe and Linda Hill Committee of Council requirements.
4. Progress re Security Upgrade Project.

8. DATE OF NEXT MEETING

Friday 2 September 2011, 9am, Albany Airport Conference Room.

9. CLOSURE OF MEETING

Meeting closed at 10.37am.

Attachments:

A. Ralph Burnett letter
B. Julie Biser letter
C. Paper for Council Meeting 17 May 2011 (Item 3.2): Albany Regional Security and Infrastructure Upgrade

CONFIRMED: CHAIRPERSON_____DATE:_____/_____/_____

1.1.3: AUDIT COMMITTEE

File Number (Name of Ward)		FM.MEE.1 (All Wards)
Proponent		City of Albany
Appendices	**:**	Confirmed Minutes of the Audit Committee 9 August 2011
Responsible Officer	**:**	Chief Executive Officer, Faileen James

IN BRIEF

- Receive the minutes of the Audit Committee
- Received and adopted the recommendations of the Audit Committee held on 9 August and 13 September 2011

ITEM 1.1.3: COMMITTEE RECOMMENDATION 1

THAT the CONFIRMED minutes of the Audit Committee meeting held on 9 August 2011 be RECEIVED.

ITEM 1.1.3: COMMITTEE RECOMMENDATION 2

(1) THAT the City of Albany, Chief Executive Officer, is requested to progress bargaining through Fair Work Australia, through an appropriately qualified and authorised bargaining agent.

(2) That the City of Albany seek increased productivity returns and the Council acknowledges that the terms of the City of Albany and Australian Services Union Outside Collective Enterprise Agreement 2010 are not affordable for 65 % of the City of Albany Workforce and outside of the budget.

ITEM 1.1.3: COMMITTEE RECOMMENDATION 3
VOTING REQUIREMENT: ABSOLUTE MAJORITY

THAT the Motion resolved at Item 12.2.1, 'Proposal to Incorporate a Day Hospital in the Brooks Garden Estate' dated 17 February 2009 as follows:

"THAT Council AGREE to prepare a business plan in relation to the Proposed Day Hospital concept, and that such business plan be represented for Council consideration prior to any formal processes being implemented."

Be revoked.

Note: Signed revocation motion follows this report.

RESPONSIBLE OFFICER (CEO):

ITEM 1.1.3: COMMITTEE RECOMMENDATION 4

THAT in respect of Deposited Plan - D020956 and Lots (Lot 1 – 1710m2, Lot 2 – 1875m2, Lot 3 - 1872m2), Corner of Chesterpass and Mercer Roads, Lange WA 6330 adjoining land (Lot 1004 Viastra Drive Lange WA 6330) Council:

1. **Request the Chief Executive Officer to investigate possible issues relating to the land title of Lots 1, 2 and 3 (Deposited Plan - D020956) and possible covenants' over it.**

2. **Recommend the Chief Executive Officer commence negotiations with a possible proponent regarding a proposed development in the Brooks Garden Estate including possibly:**

   a) **Preparing a scheme amendment document for Council's consideration to rezone Lots 1, 2 and 3 Chester Pass Road, Lange from the 'Rural' zone to 'Mixed Business' zone (with additional uses of medical centre and aged persons village);**

   b) **Seeking an independent land valuation of City of Albany owned land (Deposited Plan - D020956 and Lots (Lot 1 – 1710m2, Lot 2 – 1875m2, Lot 3 - 1872m2); and**

   c) **Subject to 2 (a) and (b), preparing a further report to a future ordinary Council meeting, advising Council of the benefits and risks of disposing of City of Albany owned lots, potentially through entering a private treaty with the adjoining land owner (Lot 1004), in accordance with the provisions of the *Local Government Act 1995,* Section 3.58 (3) & (4).**

ITEM 1.1.3: COMMITTEE RECOMMENDATION 5

THAT Council adopt the following principles for revised or new policies in accordance with the *Local Government Act 1995* and as prescribed in the *Local Government (Administration) Regulations 1996:*

(i) <u>Information Technology (IT) Allowance</u>
An Information Technology (IT) Allowance to be paid to elected members in quarterly instalments in arrears.

(ii) <u>Reimbursement of Travel Costs</u>
Travel Cost Expenses (including accommodation) reimbursed to elected members on provision of a travel log and expense receipts.

(iii) <u>Child care Expenses</u>
The cost must be actually incurred by the elected member before a claim may be lodged and is limited to the actual cost of the care of the child for attendance at meetings, or $20.00 per hour, whichever is the lesser, as prescribed in the *Local Government (Administration) Regulations 1996*, Regulation 31. Expenses are only to be reimbursed on provision of receipts.

ITEM 1.1.3: COMMITTEE RECOMMENDATION 6
VOTING REQUIREMENT: ABSOLUTE MAJORITY

THAT Council note in revising its allowance policies, in accordance with Regulation 10(1a) of the *Local Government (Administration) Regulations 1996*, Council Resolution dated 17 August 2010, Item 4.3, being:

"1. The practice of making the annual IT allowance as quarterly cash payments be discontinued and replaced by providing the members with an opening IT credit as per option 2 on the attached table, as follows:

- ***Mayor Evans, Crs Wolfe and Paver - $2,050 each***
- ***Crs J Bostock and Matla - $2,237.50 each***
- ***Cr Wellington - $3,239***
- ***Crs D Bostock, Hammond, Leavesley, Sutton - $3,426 each***
- ***Cr Dufty - $3,814***
- ***Cr Holden - $1,394***
- ***Cr Swann - $1,123***

Any adjustment necessary to the current budget to be made at the quarterly budget review.

2. The conditions associated with the acquisition of IT equipment and related goods and services be as described in clauses 6 to 10 of this report and the participating elected members be required to sign an agreement subscribing to those conditions.

3. That any IT equipment purchased by or for a member under the IT allowance be subject to a condition that the purchase be made locally or sourced through a local supplier provided the total cost difference - including GST, transport and/or delivery - is not greater than 10% of the price available from any alternative source."

is REVOKED.

Note: Unsigned revocation motion follows this report.

ITEM 1.1.3: REVOKING OR CHANGING DECISIONS MOTION FORM

In accordance with Regulation 10(1a) of the *Local Government (Administration) Regulations 1996*, we the undersigned hereby move to have Council Resolution dated 17 August 2010, Item 4.3, be reconsidered.

Name: _____ Signature: _____ Date: _____

Name: _____ Signature: _____ Date: _____

Name: _____ Signature: _____ Date: _____

Name: _____ Signature: _____ Date: _____

Name: _____ Signature: _____ Date: _____

ITEM 1.1.3: COMMITTEE RECOMMENDATION 7
VOTING REQUIREMENT: ABSOLUTE MAJORITY

THAT Council in accordance with Regulation 10(1a) of the *Local Government (Administration) Regulations 1996*, Council Resolution dated 17 August 2010, Item 4.3, being:

"1. The practice of making the annual IT allowance as quarterly cash payments be discontinued and replaced by providing the members with an opening IT credit as per option 2 on the attached table, as follows:

- ***Mayor Evans, Crs Wolfe and Paver - $2,050 each***
- ***Crs J Bostock and Matla - $2,237.50 each***
- ***Cr Wellington - $3,239***
- ***Crs D Bostock, Hammond, Leavesley, Sutton - $3,426 each***
- ***Cr Dufty - $3,814***
- ***Cr Holden - $1,394***
- ***Cr Swann - $1,123***

Any adjustment necessary to the current budget to be made at the quarterly budget review.

2. The conditions associated with the acquisition of IT equipment and related goods and services be as described in clauses 6 to 10 of this report and the participating elected members be required to sign an agreement subscribing to those conditions.

3. That any IT equipment purchased by or for a member under the IT allowance be subject to a condition that the purchase be made locally or sourced through a local supplier provided the total cost difference - including GST, transport and/or delivery - is not greater than 10% of the price available from any alternative source."

is <u>REVOKED</u>.

Reason: To ensure the practice of the provision of an Information Technology Allowance as an opening credit is rescinded.

AUDIT COMMITTEE
MINUTES

for the meeting held on Tuesday 9 August 2011 at 6.30pm.
in the Margaret Coates Boardroom

(File Ref: FM.MEE.1, Synergy Ref: AM1119412)

The Chair declared the meeting open at 6.30pm.

1.0 ATTENDANCE:

Elected Members:

Mayor M Evans, JP	(Member)
Cr D Wellington	(Chair)
Cr D Bostock	(Member)
Cr D Dufty	(Member)
Cr D Wolfe	(Member)
Cr C Holden	(Observer)
Cr R Sutton	(Observer)

Staff:

Chief Executive Officer	F James
Acting Executive Director Corporate Services	P Wignall
Executive Manager Business Governance	S Jamieson (Secretariat)

Apologies/Leave of Absence:

Cr M Leavesley	(Member)
Cr J Matla	(Member)
Cr J Bostock	(Member)
Cr R Hammond	(Member)
Cr R Paver	(Observer)

2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

ITEM 2.0 –COMMITTEE RECOMMENDATION

MOVED: MAYOR EVANS
SECONDED: COUNCILLOR WELLINGTON

The minutes of the Audit Committee meetings held on 28 June 2011, as previously distributed, be confirmed as a true and accurate record of proceedings (Attachment A).

CARRIED 5-0

Councillor D Bostock thanked the Committee for supporting his motion to extend the Committee membership to full Council.

Presiding Member	Councillor Wellington
EMT Member Responsible for Committee:	Chief Executive Officer, Ms Faileen James

3.0 DISCLOSURE OF INTEREST

Nil

4.0 ITEMS FOR DISCUSSION

4.1 FINANCIAL MANAGEMENT SYSTEMS AND PROCEDURES REVIEW

- Reporting Officer: Acting Executive Director Corporate Services.

The Acting Executive Director Corporate Services provided an update to the Committee:

Update: Grant Thornton Australia Limited has completed the Financial Management Systems and Procedures Review in May 2011. The review was conducted in accordance with the requirements of Regulation 5(2)(c) of the *Local Government (Financial Management) Regulations 1996.*

The report is detailed at Attachment B.

4.2 BUDGET - STATUS OF THE ENTERPRISE BARGAINING AGREEMENT NEGOTIATIONS

- Reporting Officer: Chief Executive Officer (CEO)

The CEO provided a confidential briefing on the Collective Bargaining Agreement negotiations.

ITEM 4.2 – COMMITTEE RECOMMENDATION

MOVED: MAYOR EVANS
SECONDED: COUNCILLOR WELLINGTON

(1) That the City of Albany, Chief Executive Officer, is requested to progress bargaining through Fair Work Australia, through an appropriately qualified and authorised bargaining agent.

(2) That the City of Albany seeks increased productivity returns and the Council acknowledges that the terms of the City of Albany and Australian Services Union Outside Workers Collective Enterprise Agreement 2010 are not affordable for 65% of the City of Albany Workforce and outside of the budget.

CARRIED 5-0

4.3 COMMUNICATIONS INCLUDING - USE OF SOCIAL MEDIA BY ELECTED MEMBERS

- Reporting Officer: Chief Executive Officer

The Chief Executive Officer provided an update to the Committee:

Background:

It was reported to the Committee at the 14 June 2011 meeting that It appears Community members may be confusing the "private" from the "public" and have been communicating with elected members using social media, including "facebook".

While elected members need to be responsive to community views, there are considerable legal and other risks with current members' communications record keeping.

The Committee requested the CEO to seek advice from the City's insurers and if necessary, a Council Policy position is to be drafted regarding this matter.

Update: The following details the clarification provided by the City's insurer:

We would advise that Elected Members use a great deal of caution when using these media. The response from LGIS Liability concerning this query is as follows:

"Depending on the type of comments being made. Any comments made that lead to a libel and slander claims against the council would be excluded under the LGIS liability policy. (refer section 10 under exclusion in LGIS protection Policy wording)"

This essentially means that there would be no cover in place for the Elected Members if defamation action is taken against them arising from their use of these media.

Action: Council Policy position is to be prepared.

5 ITEMS TO BE DISCUSSED AT NEXT MEETING

6 DATE OF NEXT MEETING: Tuesday 13 September 2011 at 7.01pm.

7 CLOSURE OF MEETING:

Attachment:

A. Unconfirmed Confidential Minutes of the 28 June 2011 Audit Committee Meeting
B. Grant Thornton Limited, Financial Management Systems and Procedures Review.

1.2: PLANNING AND BUILDING REPORTS SEPTEMBER 2011

Responsible Officer : Executive Director Planning and Development Services (G Bride)

Attachment : Planning and Building Reports September 2011

IN BRIEF

- Receive the contents of the Planning and Building Report for September 2011.

ITEM 1.2: RESPONSIBLE OFFICER RECOMMENDATION

THAT the Planning and Building Report for September 2011 be RECEIVED.

CEO:	RESPONSIBLE OFFICER:

CITY OF ALBANY

REPORT

To : His Worship the Mayor and Councillors

From : Administration Officer - Development

Subject : Building Activity – September 2011

Date : 4th October 2011

---

1. In September 2011, Sixty Eight (68) building licences were issued for building activity worth $6,657,537, this included four (4) demolition licences and two (2) sign licences.

2. The two (2) attached graphs compare the current City activity with the past three (3) fiscal years. One compares the value of activity, while the other compares the number of dwelling units.

3. A breakdown of building activity into various categories is provided in the Building Construction Statistics form.

4. Attached are the details of the licences issued for September 2011, the third month of activity in the City of Albany for the financial year 2011/2012.

Jenny Cobbold
Administration Officer – Development

AGENDA ITEM 1.2 REFERS

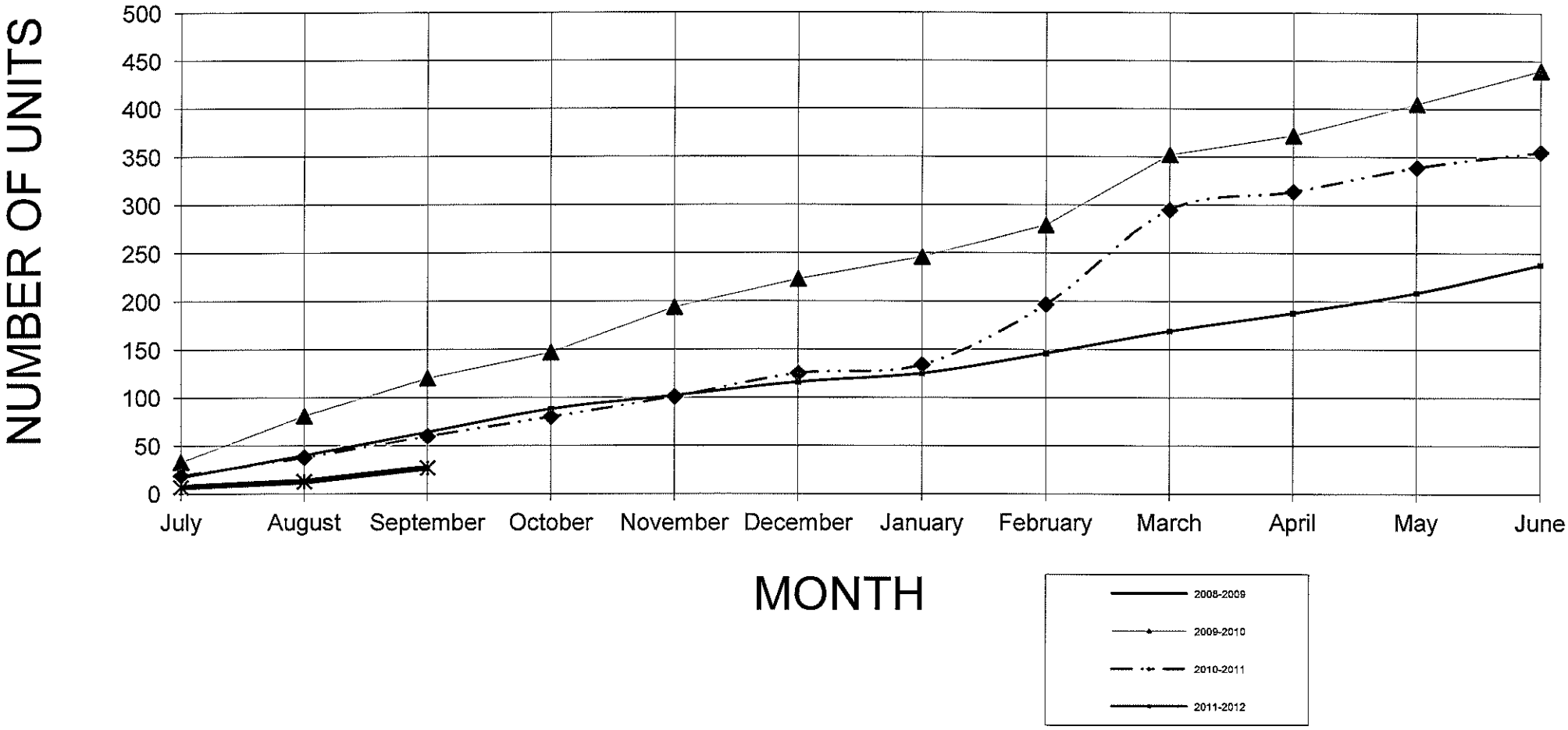
CITY OF ALBANY

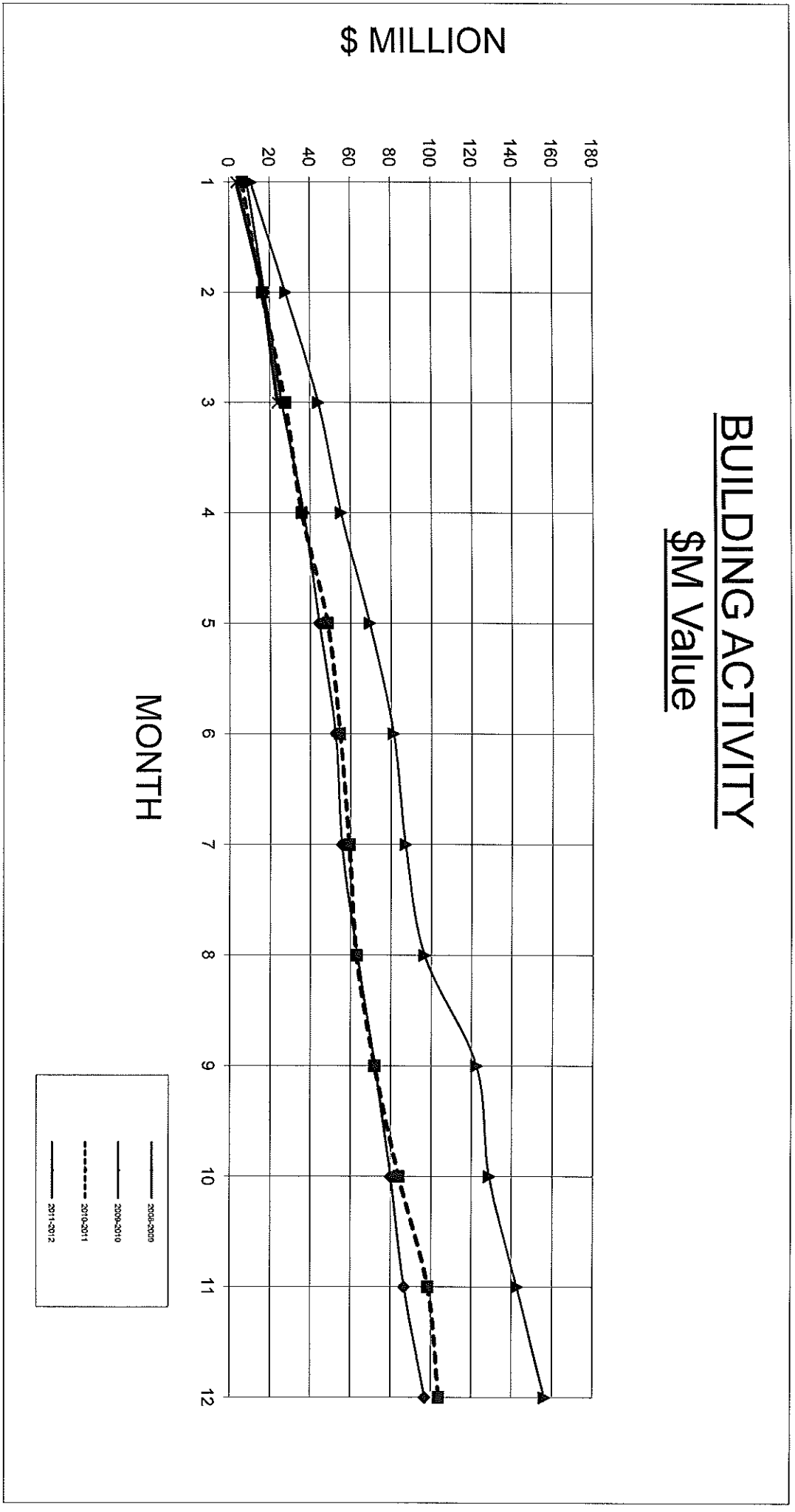
BUILDING CONSTRUCTION STATISTICS FOR 2011 - 2012

2010/2011	SINGLE DWELLING		GROUP DWELLING		Total	DOMESTIC/ OUTBUILDINGS		ADDITIONS/ DWELLINGS		HOTEL/ MOTEL		NEW COMMERCIAL		ADDITIONS/ COMMERCIAL		OTHER		TOTAL $ VALUE
	No	$ Value	No	$ Value		No	$ Value	No	$ Value	No	$ Value	No	$ Value	No	$ Value	No	$ Value	
JULY	7	2,030,335			7	14	253,722	22	547,734			1	30,000	3	953,927	5	35,000	3,850,718
AUGUST	13	3,921,741			13	7	123,878	8	71,080	1	420,000			7	8,839,775	3	23,800	13,400,274
SEPTEMBER	13	3,430,898	1	775,000	14	17	236,818	21	508,779					5	921,642	11	784,400	6,657,537
OCTOBER																		0
NOVEMBER																		0
DECEMBER																		0
2011 JANUARY																		0
FEBRUARY																		0
MARCH																		0
APRIL																		0
MAY																		0
JUNE																		0
TOTALS TO DATE	33	9,382,974	1	775,000	34	38	614,418	51	1,127,593	1	420,000	1	30,000	15	10,715,344	19	843,200	23,908,529

AGENDA ITEM 1.2 REFERS

DWELLING UNITS




BUILDING ACTIVITY
$M Value
$ MILLION
0
20
40
60
80
100
120
140
160
180
1
2
3
4
5
6
7
8
9
10
11
12
MONTH
2005-2009
2006-2010
2010-2011
2011-2012

AGENDA ITEM 1.2 REFERS

BUILDING, SIGN & DEMOLITION LICENCES ISSUED UNDER DELEGATED AUTHORITY

Applications determined for September 2011

Application Number	Builder	Owner	Description of Application	Street #	Property Description	Street Address	Suburb
300768	TO BE ADVISED	THE UNIVERSITY OF WESTERN AUSTRALIA	UNAPPROVED INTERNAL WALLS TO EXISTING	81-89	Lot 1	PROUDLOVE PARADE	ALBANY
300938	Tobiassen Sven Gerhard	*Owner's Name and address not shown at their request*	STAGE 1 (RETAINING WALLS ONLY)	15	Location SL122 Lot 41	MASKILL PLACE	ALBANY
301639	EYERITE SIGNS	STIRLING CLUB INC	PYLON SIGN LICENCE	14-16	Location ALB TOWN	STIRLING TERRACE	ALBANY
301640	EYERITE SIGNS	STIRLING CLUB INC	PYLON SIGN LICENCE	14-16	Location ALB TOWN	STIRLING TERRACE	ALBANY
301702	BAROVEN PTY LTD ATF HRS FMLY TRUST & THE MCINTYRE	CITY OF ALBANY (VESTED CROWN LAND)	WALLS AND SEAT - PEACE PARK		Location RES 46686 Lot 1561	PRINCESS ROYAL DRIVE	ALBANY
301735	KAY PANTON	*Owner's Name and address not shown at their request*	CHANGE OF CLASSIFICATION OF UNIT 5 FROM CLASS 5 TO CLASS 9B	82	Lot 5	COLLIE STREET	ALBANY
301648	ECOFIT HOMES	ALBANY LIFESTYLE VILLAGE PTY LTD	PARK HOME - SITE 30	20	Location 359 Lot 500	ALISON PARADE	BAYONET HEAD
301651	RYDE BUILDING COMPANY PTY LTD	*Owner's Name and address not shown at their request*	SINGLE DWELLING	35	Location 4790 Lot 704	HOUGHTON BOULEVARD	BAYONET HEAD
301658	MATTHEW POCOCK	*Owner's Name and address not shown at their request*	SINGLE DWELLING	23	Location 280 Lot 131	MADDISON WAY	BAYONET HEAD
301665	GS & LA IRONMONGER	*Owner's Name and address not shown at their request*	ADDITIONS AND ALTERATIONS TO DWELLING	3	Location 1196 Lot 13	BAYONET HEAD ROAD	BAYONET HEAD
301667	RYDE BUILDING COMPANY PTY LTD	A H & C M MCCRACKEN	SINGLE DWELLING	8	Location 284 Lot 37	SPINNAKER AVENUE	BAYONET HEAD
301698	OUTDOOR WORLD	*Owner's Name and address not shown at their request*	PATIO	31	Location 282 Lot 237	MEANANGER CRESCENT	BAYONET HEAD

AGENDA ITEM 1.2 REFERS

Application Number	Builder	Owner	Description of Application	Street #	Property Description	Street Address	Suburb
301700	SCOTT PARK HOMES GREAT SOUTHERN PTY LTD	*Owner's Name and address not shown at their request*	DWELLING	28	Location 4790 Lot 737	GRENFELL DRIVE	BAYONET HEAD
301716	JAC HOLDINGS P/L	ALBANY LIFESTYLE VILLAGE PTY LTD	CARPORT & PATIO - SITE 27	20	Location 359 Lot 500	ALISON PARADE	BAYONET HEAD
301717	JAC HOLDINGS P/L	ALBANY LIFESTYLE VILLAGE PTY LTD	CARPORT & PATIO - SITE 30	20	Location 359 Lot 500	ALISON PARADE	BAYONET HEAD
301450	D & A HOLLAND	HAWKINGS FAMILY TRUST PTY LTD	ADDITIONS AND ALTERATIONS TO SHOWROOM WAREHOUSE	137	Lot 2	LOCKYER AVENUE	CENTENNIAL PARK
301626		KNIGHTS PARKS AND PROPERTIES PTY LTD	UNAPPROVED STRUCTURE - RETAINING WALL	40	Location ALB TOWN Lot 733	WELLINGTON STREET	CENTENNIAL PARK
301682	ROMEO GLIOSCA	M ANDREOTTI & O ANDREOTTI & G ANDREOTTI	DEMOLITION - SINGLE STOREY DWELLING	115	Location SL07 Lot 13	LOCKYER AVENUE	CENTENNIAL PARK
301712	WALTOY PTY LTD	G J MANLEY	DEMOLITION - COMMERCIAL FACTORY/WAREHOUSE	40-44	Lot 141	SANFORD ROAD	CENTENNIAL PARK
301631	SCOTT PARK HOMES GREAT SOUTHERN PTY LTD	*Owner's Name and address not shown at their request*	DWELLING AND GARAGE	4	Lot 14	LOWER KING ROAD	COLLINGWOOD HEIGHTS
301650	RYDE BUILDING COMPANY PTY LTD	N C WHITE & R S HUSSEY	SINGLE DWELLING	4	Lot 14	ARDROSS CRESCENT	COLLINGWOOD PARK
301663	DEAN CASTLEHOW	D CASTLEHOW & N J BROWN	SINGLE DWELLING		Location 525 Lot 7	LOWER DENMARK ROAD	CUTHBERT
301666	TURPS STEEL FABRICATIONS	D G & A Y JASPER	PATIO	32	Location 366 Lot 28	OXFORD STREET	GLEDHOW
301679	JR GOMM	G K & S S ELSEGOOD	COMPLETION OF GARAGE AND DOWNSTAIRS FITOUT	36	Location 2471 Lot 182	KARRAKATTA ROAD	GOODE BEACH
301655	JOE GENOVESE	ALBANY INDUSTRIAL SERVICES PTY LTD	UNAPPROVED INTERNAL ALTERATIONS TO EXISTING FACTORY	1053	Location 3464	CHESTER PASS ROAD	KING RIVER
301656	WA COUNTRY BUILDERS PTY LTD	ST IVES VILLAGES PTY LTD	AGED PERSON UNITS X 5 (DUPLEX & TRIPLEX) UNITS 34-38	21	Lot 1000	BROOKS GARDEN BOULEVARD	LANGE

AGENDA ITEM 1.2 REFERS

Application Number	Builder	Owner	Description of Application	Street #	Property Description	Street Address	Suburb
301593	AIKEN PTY LTD	K D & D J SMITH & D J TOOVEY	DWELLING GARAGE AND RETAINING WALLS	89	Lot 93	BAY VIEW DRIVE	LITTLE GROVE
301619	OWNER BUILDER	*Owner's Name and address not shown at their request*	SHED	93	Location 24 Lot 3	WILSON STREET	LITTLE GROVE
301684	KOSTERS STEEL CONSTRUCTION PTY LTD	P & S S ASHTON	PATIO	621	Location 24 Lot 58	FRENCHMAN BAY ROAD	LITTLE GROVE
301686	OUTDOOR WORLD	*Owner's Name and address not shown at their request*	PATIO	682	Location 24 Lot 56	FRENCHMAN BAY ROAD	LITTLE GROVE
301694	OWNER BUILDER	C M & P J BELL	GARAGE EXTENSION	60	Location 24 Lot 23	GROVE STREET WEST	LITTLE GROVE
301718	OWNER BUILDER	J R & J BLOGG	SHED	116	Location 24 Lot 5	BAY VIEW DRIVE	LITTLE GROVE
301722	OWNER BUILDER	*Owner's Name and address not shown at their request*	VERANDAH	105	Location 24 Lot 20	BAY VIEW DRIVE	LITTLE GROVE
301628	KOSTERS STEEL CONSTRUCTION PTY LTD	A F ROBERTS	SHED	75	Location 7 Lot 65	FRANCIS STREET	LOWER KING
301653	OUTDOOR WORLD	*Owner's Name and address not shown at their request*	SHED	72	Location 1077 Lot 76	VISCOUNT HEIGHTS	LOWER KING
301680	WALTOY PTY LTD	K L & M R ABRAHAMS	DEMOLITION - SINGLE DWELLING	94	Location 7 Lot 134	FRANCIS STREET	LOWER KING
301706	OWNER BUILDER	J A HAFFNER & M G HARTZELL	SHED	13	Location 50 Lot 4	BUSHBY ROAD	LOWER KING
301737	PULS PATIOS	*Owner's Name and address not shown at their request*	PATIO	41	Location 7 Lot 134	ANDREW WAY	LOWER KING
301677	METROOF ALBANY	A K HANSOM & D J FITZGERALD	SHED		Location 401 Lot 27	LAITHWOOD CIRCUIT	MARBELUP
301657	RYDE BUILDING COMPANY PTY LTD	M B STEPHEN	SINGLE DWELLING	3	Location 381 Lot 202	MCGONNELL ROAD	MCKAIL
301661	TURPS STEEL FABRICATIONS	G R & M J METCALF	PATIO	19	Location 488 Lot 111	PARMELIA WAY	MCKAIL
301674	OWNER BUILDER	J A & G ROBERTSON	GAZEBO	11	Location 492 Lot 271	DORADO BEND	MCKAIL

AGENDA ITEM 1.2 REFERS

Application Number	Builder	Owner	Description of Application	Street #	Property Description	Street Address	Suburb
301675	RYDE BUILDING COMPANY PTY LTD	*Owner's Name and address not shown at their request*	SINGLE DWELLING	14	Lot 200	SATELLITE CLOSE	MCKAIL
301676	IAN LESLEY MACFARLANE	HOUSING AUTHORITY	SUBDIVISION ENTRY STATEMENT		Location 2174 Lot 1	SOUTH COAST HIGHWAY	MCKAIL
301689	OWNER BUILDER	M F BUFFHAM & P D WILBY	SHED		Location 390 Lot 111	GLADVILLE ROAD	MCKAIL
301690	TURPS STEEL FABRICATIONS	J A BAIL	SHED & PATIO	25	Location 492 Lot 91	CENTAURUS TERRACE	MCKAIL
301704	PULS PATIOS	*Owner's Name and address not shown at their request*	SHED AND PATIO	12	Location 492 Lot 259	DORADO BEND	MCKAIL
301725	OWNER BUILDER	*Owner's Name and address not shown at their request*	SHED		Location 377 Lot 85	FEDERAL STREET	MCKAIL
301710	T & W BRADE	*Owner's Name and address not shown at their request*	ADDITIONS AND ALTERATIONS	104	Location 368 Lot 127	RUFUS STREET	MILPARA
300857	JJ SPAANDERMAN	*Owner's Name and address not shown at their request*	WAREHOUSE EXTENSION	43	Location SL78/79 Lot 32	CAMPBELL ROAD	MIRA MAR
301591	OWNER BUILDER	*Owner's Name and address not shown at their request*	ADDITIONS	6	Location SL360/361 Lot 48	GREENSHIELDS STREET	MIRA MAR
301611	R & E SCHLAGER	*Owner's Name and address not shown at their request*	ALTERATIONS/ADDITIONS AND CHANGE OF CLASSIFICATION OF	196	Lot 1	MIDDLETON ROAD	MIRA MAR
301652	OUTDOOR WORLD	*Owner's Name and address not shown at their request*	CARPORT	13	Location 44 Lot 29	TAYLOR STREET	MIRA MAR
301673	JUSTINE AARON ARTHUR THOMSON	*Owner's Name and address not shown at their request*	DEMOLITION	21	Lot 1	SEYMOUR STREET	MIRA MAR
301636	JR GOMM	R B & L K WILLISON	ALTERATION TO EXISTING GARAGE	16	Lot 1	KING STREET	MT CLARENCE
301681	OWNER BUILDER	H P BOOMSMA & R Y DAVIS	PERGOLA/SCREEN DECK AND RETAINING WALL	22	Location ASL 113 Lot 76	LION STREET	MT MELVILLE
301644	OUTDOOR WORLD	C P FORSYTH & F J FORSYTH	Shed	76-78	Location 229 Lot 170	MCKAIL STREET	ORANA

AGENDA ITEM 1.2 REFERS

Application Number	Builder	Owner	Description of Application	Street #	Property Description	Street Address	Suburb
301654	OWNER BUILDER	P D COOPER	PATIO & DECK	44	Location 231 Lot 211	MINOR ROAD	ORANA
301683	OUTDOOR WORLD	BARBARA ANNE KING	CARPORT	63	Location AT381 Lot 5	BURGOYNE ROAD	PORT ALBANY
301637	WISHART HOMES PTY LTD	K N WELLMAN	2 STOREY DWELLING	176A	Location PL42 Lot 300	ULSTER ROAD	SPENCER PARK
301670	OUTDOOR WORLD	D T & R E LARGE	SHED	16	Location PL42 Lot 19	ULSTER ROAD	SPENCER PARK
301729	OWNER BUILDER	*Owner's Name and address not shown at their request*	DEMOLITION OF DWELLING	65-67	Location PL42 Lot 78	CAMPBELL ROAD	SPENCER PARK
301688	TIM TROUCHET CONSTRUCTION	M J & J HOLT	PATIO	92	Location TAA Lot 223	PERKINS BEACH ROAD	TORBAY
301645	OUTDOOR WORLD	M J LEOV & S LEOV	PATIO	85	Lot 185	DELORAINE DRIVE	RRENUP
301672	PULS PATIOS	*Owner's Name and address not shown at their request*	PATIO	115	Lot 176	DELORAINE DRIVE	RRENUP
301713	L J BRENTON	*Owner's Name and address not shown at their request*	PATIO AND CARPORT	129	Location 441 Lot 101	ROCKY CROSSING ROAD	WILLYUNG
301664	TURPS STEEL FABRICATIONS	J L GREY & L K WELLMAN	SHED	20	Location 356 Lot 136	MEARS ROAD	YAKAMIA
301668	OWNER BUILDER	*Owner's Name and address not shown at their request*	ATTACHED PATIO AND DECK TO EXISTING DWELLING	127-129	Location 42 Lot 6	ULSTER ROAD	YAKAMIA
301671	SCOTT PARK HOMES GREAT SOUTHERN PTY LTD	*Owner's Name and address not shown at their request*	SINGLE DWELLING	31	Location 243 Lot 657	CALLISTEMON VIEW	YAKAMIA
301695	TIM TROUCHET CONSTRUCTION	J G & V A PRIDHAM	SHED	6	Lot 36	WORRA STREET	YAKAMIA

CITY OF ALBANY

REPORT

To : His Worship the Mayor and Councillors

From : Administration Officer - Planning

Subject : Planning Scheme Consents – September 2011

Date : 4 October 2011

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1. The attached report shows Planning Scheme Consents issued under delegation by a planning officer for the month of September 2011.

2. Within the period there was a total of twenty (20) decisions made on active Planning Scheme Consents ;

   - Seventeen (17) Planning Scheme Consents were approved under delegated authority;
   - Two (2) Planning Scheme Consents were cancelled; and
   - One (1) Planning Scheme Consent was refused

_____

Jessica Davidson
Administration Officer – Planning

PLANNING SCHEME CONSENTS ISSUED UNDER DELEGATED AUTHORITY

Applications determined for September 2011

Application Number	Application Date	Applicant	Street Address	Locality	Description of Application	Decision	Decision Date	Assessing Officer
P2115184	31/08/2011	R Owen	Wilson Street	Little Grove WA	Single House - Outbuilding x 2 (Alterations to existing - reduce floor area; new outbuilding located to rear of existing)	Delegate Approved	2/09/2011	Taylor Gunn
P2115081	12/04/2011	Planning Solutions (Aust) Pty Ltd	Menang Drive	Willyung WA	Service Station	Delegate Approved	5/09/2011	Adrian Nicoll
P2115172	16/08/2011	Turps Steel Fabrications	Centaurus Terrace	McKail WA	Single House - design code relaxations (side setback relaxation - patio)	Delegate Approved	6/09/2011	Jessica Anderson
P2115178	25/08/2011	Kosters Steel Constructions	Francis Street	Lower King WA	Single House - Outbuilding (overheight walls)	Delegate Approved	6/09/2011	Taylor Gunn
P2115183	30/08/2011	K Stehn	Bell Court	Bayonet Head WA	Single House - design code relaxations (side setback relaxation); earthworks exceeding 600mm	Delegate Approved	8/09/2011	Taylor Gunn
P2115134	28/06/2011	T & H McCarley	Hare Street	Middleton Beach WA	Holiday Accommodation	Delegate Approved	9/09/2011	Deb Delury
P2115188	2/09/2011	Skill Hire WA Pty Ltd	Lockyer Avenue	Centennial Park WA	Office	Delegate Approved	13/09/2011	Adrian Nicoll
P2115152	20/07/2011	Z Vrban	Bayview Drive	Little Grove WA		Cancelled	14/09/2011	
P2115176	17/08/2011	P & D T'hart	Campbell Road	Mira Mar WA	Warehouse - Additions	Delegate Approved	14/09/2011	Taylor Gunn
P2115185	31/08/2011	M Pocock	Maddison Way	Bayonet Head WA	Single House (overheight; cut and fill over 600mm)	Delegate Approved	15/09/2011	Taylor Gunn
P2115190	5/09/2011	PJ Hughes	Roberts Road	Robinson WA	Single House	Delegate Approved	19/09/2011	Adrian Nicoll
P295378	14/12/2009	G D Kennedy	Price Street	Bayonet Head WA		Cancelled	19/09/2011	
P2115154	22/07/2011	B Higgins	Frenchman Bay Road	Little Grove WA	Ancillary Accommodation (Relocated dwelling)	Delegate Approved	20/09/2011	Deb Delury
P2115155	25/07/2011	J Cullen	Wolfes Pump Road	Youngs Siding WA	Chalet (x2)	Delegate Approved	22/09/2011	Taylor Gunn
P2115179	25/08/2011	Telstra C/- Aurecon Pty Ltd	Forts Road	Mt Clarence WA	Development - Additions to existing mobile communication tower (panel antennas x 6)	Delegate Approved	26/09/2011	Adrian Nicoll

Application Number	Application Date	Applicant	Street Address	Locality	Description of Application	Decision	Decision Date	Assessing Officer
P2115187	1/09/2011	NJ Wallis	Chester Pass Road	Milpara WA	Warehouse (temporary storage of dwelling to rear of lot)	Delegate Approved	26/09/2011	Jessica Anderson
P2115177	18/08/2011	G Goddard	Cockburn Road	Centennial Park WA	Service Industry (Security Supplies) - Additions	Delegate Approved	27/09/2011	Jessica Anderson
P2115194	13/09/2011	IA Group Interiors Australia	Stirling Terrace	Albany WA	Signs x 3 (Wall x 1; Horizontal x 2)	Delegate Approved	27/09/2011	Jessica Anderson
P2115136	29/06/2011	S & J Carman	Kelty View	Willyung WA	Single House - Side Setback Relaxation - Oversize Outbuilding (additions to existing outbuilding)	Refused	30/09/2011	Taylor Gunn
P2115175	17/08/2011	H&H Architects	Middleton Road	Mira Mar WA	Fast Food Outlet - Additions	Delegate Approved	30/09/2011	Deb Delury

1.3: COMMON SEAL AND EXECUTED DOCUMENTS UNDER DELEGATION REPORTS

Responsible Officer : Chief Executive Officer (F James)
Attachments : Common Seal Report

IN BRIEF

- Receive the Common Seal Report for September 2011, which include decisions made by Delegated Authority

ITEM 1.3: RESPONSIBLE OFFICER RECOMMENDATION

THAT the Common Seal Report for September 2011 be RECEIVED.

CEO:

NCSR1119646 484-10
COPY OF COMMON SEAL
ITEM: N/A
REF: SECTION 70A NOTIFICATION PURSUANT TO THE TRANSFER OF LAND ACT 1983 TO BE PLACED ON LOT 2 SURVEY STRATA PLAN 56296. A DRAINAGE CONDITION OF SUBDIVISION 484-10 REQUIRES A NOTIFICATION TO BE PLACED ON THE TITLE OF THE NEW LOTS. THE NOTIFICATION ADVISES THAT DRAINAGE INFRASTRUCTURE WILL NEED TO BE PROVIDED AT THE TIME OF CONSTRUCTION OF A DWELLING ON THE SUBJECT LOTS.
PARTIES: CITY OF ALBANY AND PEAK VIEW PTY LTD
MAYOR AND CEO F JAMES 1 COPY

NCSR1119813 TT.PJM.1
COPY OF COMMON SEAL
ITEM: 4.6 OCM 15/03/2011
REF: RECREATIONAL BOATING FACILITIES SCHEME FUNDING AGREEMENT FOR THE EMU POINT BOAT HARBOUR TRAILER UPGRADE PROJECT.
PARTIES: CITY OF ALBANY AND DEPARTMENT OF TRANSPORT
MAYOR AND CEO F JAMES 1 COPY

NCSR1119814 PRO351
COPY OF COMMON SEAL
ITEM: 2.3 OCM 19/04/2011 ITEM 4.3.15 OCM 14/12/2010
REF: DEED OF SURRENDER OF LEASE-PORTION OF LOT 5 MERCER RAOD. NEW DEED OF LEASE-PORTION OF LOT 5 MERCER ROAD.
PARTIES: CITY OF ALBANY AND SOUTH COAST NATURAL RESOURCE MANAGEMENT
MAYOR AND CEO F JAMES 4 COPIES

NCSR1119815 C11005
COPY OF COMMON SEAL
ITEM: 6.1 OCM 09/09/2011
REF: TENDER C11005 FOOTPATH, WALLS AND LIGHTING CONSTRUCTION AT ANZAC PEACE PARK
PARTIES: CITY OF ALBANY AND SMITHS CONSTRUCTIONS
MAYOR AND CEO F JAMES 2 COPIES

NCSR1119817 139291
COPY OF COMMON SEAL
ITEM: N/A
REF: RESTRICTIVE COVENANT PURSUANT TO SECTION 129BA OF THE TRANSFER OF LAND ACT. 62 LA PEROUSE ROAD.
PARTIES: CITY OF ALBANY AND MICHAEL IAN FINDLAY AND ANGELA SCHIANO FINDLAY
MAYOR AND CEO F JAMES 3 COPIES

ICSR1148059 A23195
COPY OF COMMON SEAL
ITEM: N/A SIGNED UNDER DELEGATION
REF: ANCILLARY ACCOMMODATION RESTRICTIVE COVENANT 682 FRENCHMAN BAY ROAD, ALBANY
PARTIES: CITY OF ALBANY AND STEVEN PATRICK HIGGINS
MAYOR AND CEO F JAMES 1 COPY

NCSR1119922 EM.PRG.1
COPY OF COMMON SEAL
ITEM: 4.6 OCM 15/03/11
REF: MOU BETWEEN DEC AND CITY OF ALBANY REGARDING BIBBULMUN TRACK AND MUNDA BIDDI TRAIL
PARTIES: CITY OF ALBANY AND DEPARTMENT OF ENVIRONMENT AND CONSERVATION
MAYOR AND CEO F JAMES 2 COPIES

NCSR1119923 469-06
COPY OF COMMON SEAL
ITEM: N/A SIGNED UNDER DELEGATED AUTHORITY
REF: SECTION 70A NOTIFICATION REGARDING STORMWATER CONTROL AT LOT 26 MIDDLETON ROAD, ALBANY
PARTIES: CITY OF ALBANY AND KEE-VEE PROPERTIES PTY LTD
MAYOR AND CEO F JAMES 1 COPY

NCSR1119924 PRO383
COPY OF COMMON SEAL
ITEM: 4.3.15 OCM 14/12/2010
REF: SUB LEASE PART OF LOTTERIES HOUSE TO SILVER CHAIN NURSING ASSOCIATION
PARTIES: CITY OF ALBANY, RAINBOW COAST NEIGHBOURHOOD CENTRE AND SILVER CHAIN NURSING ASSOCIATION
MAYOR AND CEO F JAMES 3 COPIES

NCSR1119925 140704
COPY OF COMMON SEAL
ITEM: N/A SIGNED UNDER DELEGATED AUTHORITY
REF: RESTRICTIVE COVENANT RESTRICTING VEHICLE ACCESS ONTO TEMPORARY ACCESS ROAD. 25 JUNCTION STREET.
PARTIES: CITY OF ALBANY AND TANYA WILMA DEKKER AND JOHN DEKKER
MAYOR AND CEO F JAMES 3 COPIES

NCSR1119926 DB.LEG.2
COPY OF COMMON SEAL
ITEM: 2.6 OCM 15/07/11
REF: LOCAL GOVERNMENT PROPERTY LOCAL LAW 2011
PARTIES: N/A
MAYOR AND CEO F JAMES 3 COPIE

NCSR1119976 PRO224
COPY OF COMMON SEAL
ITEM: 2.7 OCM 19/10/2010
REF: DEED OF LEASE PORTION OF RESERVE 878 LOT 27 BAXTERI ROAD, CHEYNE BEACH.
PARTIES: CITY OF ALBANY AND MARLENE LENSTRA, SYLVIA DEMAN, ERICK BROUWER, JILLIAN BROUWER, DOROTHEA BROUWER, MAREE DIEMEL AND JOHN BROUWER
MAYOR AND CEO F JAMES 2 COPIES

NCSR1119979 PRO170
COPY OF COMMON SEAL
ITEM: 2.6 OCM 15/02/2011
REF: ALBANY KART CLUB LEASE PORTION OF CROWN RESERVE 1947 PARKER BROOK ROAD, WILLYUNG
PARTIES: CITY OF ALBANY AND ALBANY CITY KART CLUB INC
MAOR AND CEO F JAMES 3 COPIES

EDR1119638 484-10
EXECUTED DOCUMENT
ITEM: 2.1 OCM 16/08/2011
REF: INITIATION OF AMENDMENT NO 298, LOTS 1, 2, 4925 AND 5498 TERRY ROAD, WALMSLEY
PARTIES: NIL
MAYOR AND CEO F JAMES 3 COPIES

EDR1119640 GR.STL.39
EXECUTED DOCUMENT
ITEM: 6.1 SCM 09/08/2011
REF: ANNUAL FINANCIAL AND EVALUATION REPORT FOR 2010/11 INDIVIDUAL COUNTRY LOCAL GOVERNMENT FUND AGREEMENT
PARTIES: DEPARTMENT OF REGIONAL DEVELOPMENT AND LANDS-COUNTRY LOCAL GOVERNMENT FUND AND CITY OF ALBANY
CEO F JAMES 1 COPY

EDR1119641 C10015
EXECUTED DOCUMENT
ITEM: 3.5 OCM 14/12/2010
REF: FINAL PAYMENT FOR CONTRACT C10015 LOWER KING ROAD FOR AD CONTRACTORS
PARTIES: CITY OF ALBANY AND AD CONTRACTORS
CEO F JAMES 1 COPY

EDR1119816 GS.PRG.22
EXECUTED DOCUMENT UNDER DELEGATION
ITEM: N/A SIGNED UNDER DELEGATED AUTHORITY
REF: RRG CERTIFICATE OF COMPLETION-DIRECT GRANT 2010/11
PARTIES: CITY OF ALBANY AND MAIN ROADS
SIGNED UNDER DELEGATION CEO F JAMES 1 COPY

EDR1119823 CP.USG.19
EXECUTED DOCUMENT
ITEM: N/A SIGNED UNDER DELEGATED AUTHORITY
REF: SERVICE AGREEMENT BETWEEN ALAC AND ALBANY BASKETBALL ASSOCIATION AND LOWER GREAT SOUTHERN HOCKEY ASSOCIATION
PARTIES: CITY OF ALBANY AND ALBANY BASKETBALL ASSOCIATION AND LOWER GREAT SOUTHERN HOCKEY ASSOCIATION
CEO F JAMES 2 COPIES

EDR1119978 PRO380
EXECUTED DOCUMENT
ITEM: N/A SIGNED UNDER DELEGATED AUTHORITY
REF: RESIDENTIAL TENANCY FOR 35615 ALBANY HIGHWAY, DROME
PARTIES: CITY OF ALBANY AND ANNA PAGE (AIRPORT REPORTING OFFICER)
CEO F JAMES 1 COPY

EDR1119993 RC.PRG.6
EXECUTED DOCUMENT
ITEM: 6.1 SCM 09/08/2011- SIGNED UNDER DELEGATION
REF: NATIONAL YOUTH WEEK GRANT APPLICATION FORM 2012.
PARTIES: CITY OF ALBANY AND DEPARTMENT FOR COMMUNITIES
CEO F JAMES 1 COPY

EDR1119994 GS.PRG.39
EXECUTED DOCUMENT
ITEM: N/A SIGNED UNDER DELEGATION
REF: FINANCIAL ACQUITTAL TO LOTTERYWEST FOR REGIONAL PERFORMING ARTS GRANT FOR AEC OPENING
PARTIES: CITY OF ALBANY AND LOTTERYWEST
CEO F JAMES 1 COPY

EDR1119997 RC.EVM.4
EXECUTED DOCUMENT
ITEM: 4.6 OCM 15/03/2011
REF: CONTRACTOR AGREEMENT ART PRIZE CO ORDINATOR
PARTIES: CITY OF ALBANY AND ANNETTE DAVIES
CEO F JAMES 1 COPY

1.4: ANNUAL REVIEW OF COUNCIL DELEGATIONS - DEVELOPMENT APPROVALS

Proponent	**:**	City of Albany
Attachments	**:**	Planning Processes Guidelines (Amended) Delegations – Schedule 1 – Town Planning Scheme 1A Delegations – Schedule 2 – Town Planning Scheme 3
Appendices	**:**	Nil
Responsible Officer(s)	**:**	Chief Executive Officer (F James)

IN BRIEF

- Council is required to review its planning delegations every 12 months as per the *Local Government Act 1995* and clauses within its Town Planning Schemes; the current delegations were last reviewed at Council's OCM of 19 October 2010.
- It is recommended that the same delegation powers be granted by Council as per the previous year.
- The *Planning Applications* Guidelines which are linked to the planning delegations have been amended on three separate occasions in the past year. Accordingly, and given the creation of Development Assessment Panels (DAPs) and that Council has no delegation to approve development applications referred to the Great Southern Joint Development Assessment Panel, change to the delegations documents are required.

CEO:	RESPONSIBLE OFFICER:

RECOMMENDATION

ITEM 1.4: RESPONSIBLE OFFICER RECOMMENDATION
VOTING REQUIREMENT: ABSOLUTE MAJORITY

THAT Council:

A. pursuant to clause 7.22 of the City of Albany Town Planning Scheme No 1A, and section 5.42 of the *Local Government Act 1995* DELEGATES to the Chief Executive Officer those functions specified in Schedule 1 as attached as they relate to Town Planning Scheme No 1A, subject to the specified parameters;

B. pursuant to clause 6.10 of the City of Albany Town Planning Scheme No 3 and section 5.42 of the *Local Government Act 1995* DELEGATES to the Chief Executive Officer those functions specified in Schedule 2 as attached as they relate to Town Planning Scheme No 3, subject to the specified parameters;

C. in accordance with the provisions of section 5.44 of the *Local Government Act 1995*, the Chief Executive Officer be AUTHORISED to sub-delegate all or some of the functions identified in Schedule 1 and Schedule 2 based on the position of the officer and their level of experience.

D. APPROVE the updated *Planning Applications Guidelines* as attached to reflect the recent introduction of the Development Assessment Panels in Western Australia.

BACKGROUND

1. According to Clause 5.46 of the *Local Government Act 1995* and Clause 7.22 of Town Planning Scheme No. 1A and Clause 6.10 of Town Planning Scheme No. 3 each year the delegations provided to officers are to be reviewed by Council with the ability for the delegation to be revoked, amended or renewed. The current delegations were reviewed in October 2010.

2. The delegations are provided through the provisions of the City's Town Planning Schemes and relate to matters under the *Planning and Development Act 2005*. Both Schemes provide for delegations to be made to Committees of Council or directly to staff.

3. Council at its meeting held on 19 April 2011 reviewed the *Planning Applications Guidelines* which effectively guides the delegation path for development applications at the City. This follows reviews undertaken by Council at its meetings held on 19 October 2010 and 15 February 2011.

DISCUSSION

4. A review of the Town Planning delegations for development approvals has been conducted. Delegation should continue as it delivers a more efficient and time effective service to the City's customers.

5. The Chief Executive Officer will sub-delegate to individual staff based upon their experience, qualifications and capabilities. The CEO can modify or withdraw the authority, without further referral to Council, if the performance of an individual officer does not meet organisational standards or if staff members change.

6. Currently the CEO has 6 levels of sub-delegation to staff, with Level 1 extending only to the Executive Director Planning and Development Services, down to level 6, for the Building Inspection Officer.

7. In September 2010 Charles Johnson reviewed the operations of the Planning and Development Services directorate and found that officer delegation resulted in 90% of all planning decisions being made at the staff level. This was seen as comparable to a sample of seven metropolitan local governments reviewed in 2009 where 93.7% of decisions were made under delegated authority.

8. As Council is no longer the decision making body on development applications over $7 million, or applications valued between $3 and $7 million where the proponent chooses to have their proposal assessed by the Great Southern Joint Development Assessment Panel, this change in legislation is reflected in the *Planning Applications Guidelines* and the Schedule of Delegations as attached.

9. Since the previous delegations were endorsed by Council no amendments to either Scheme have been made which have altered the scheme provisions pertaining to development matters; therefore, the same delegations that currently exist have been proposed to continue with the exception of the Development Assessment Panels delegation as discussed above.

GOVERNMENT CONSULTATION

10. Not applicable.

PUBLIC CONSULTATION / ENGAGEMENT

11. Consultation processes for planning applications are defined in the Scheme and in Council's *Planning Applications* Guidelines.

STATUTORY IMPLICATIONS

12. Section 7.22 of the City of Albany Town Planning Scheme No. 1A and Section 6.10 of the City of Albany Town Planning Scheme No. 3 establish the mechanisms for Council to delegate decision-making. The wording in the two documents is slightly different however they both provide that Council can delegate at any time and the delegation must be reviewed annually. The exact wording is as follows:

13. Section 5.42 of the *Local Government Act 1995* allows Council to delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of its duties. The Chief Executive Officer can then administratively arrange, pursuant to Section 5.44, to allow another person to perform the required function. This method is the most appropriate one for Council to use, as it allows the CEO to change a delegation within 24 hours if needed, as opposed to seeking approval presenting an item to Council.

STRATEGIC IMPLICATIONS

14. This item relates to the following elements of the City of Albany Strategic Plan (2011-2021):

Key Focus Area

Organisational Performance

Community Priority

- Policy and procedures
- Elected Member's performance

Proposed Strategies

- Develop clear processes and policies and ensure consistent, transparent application across the organisation.
- Clearly define and separate roles and responsibilities between elected members and staff.

POLICY IMPLICATIONS

15. This item seeks Council's endorsement of Guidelines.

RISK IDENTIFICATION & MITIGATION

16. The risk identification and categorisation relies on the City's Risk Management Framework.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
If delegations are not updated and adopted by Council all planning applications would need to be forwarded to Council for decisions. This would involve over 30 applications a month and would mean turnaround times as recommended by Council in its Planning Applications Guidelines would not be met and there would be a considerable dissatisfaction from the community and development industry.	*Almost Certain*	*High*	*Extreme*	*Mitigation entirely dependent on Council.*

FINANCIAL IMPLICATIONS

17. If Council does not grant delegations to staff to process development applications all applications would need to be forwarded to Council for assessment. This would place an additional workload burden on staff in order to prepare thirty to fifty agenda items for Council's consideration each month, and additional staff resources may be required.

LEGAL IMPLICATIONS

18. If Council does not grant delegations to staff to process development applications all applications would need to be forwarded to Council for assessment.

ALTERNATE OPTIONS

19. Council has the option to amend the delegations to the CEO as presented or withhold all delegations from staff.

SUMMARY CONCLUSION

20. The adoption of staff delegations for development applications will ensure the City continues to operate efficiently in the delivery of town planning assessment.

Consulted References	Town Planning Scheme No. 1A Town Planning Scheme No. 3 Planning and Development Act 2005
File Number (Name of Ward)	PE.AUT.1
Previous Reference	OCM 19 October 2010 (Item 4.1) OCM 15 February 2011 (Item 1.7) OCM 19 April 2011 (Item 1.4)

Council Guideline

Planning Applications Guidelines

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Version: 19/10/2010
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Synergy Ref: NP099015_3

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03	19/10/10	Revised	Corporate Document Register	Council OCM 19/10/10
04	15/02/11	Revised	Minutes	Council OCM 15/02/11
05	19/04/11	Revised	Minutes	Council OCM 19/04/11
06	11/10/11	Revised	Agenda	Council OCM 11/10/11

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Objective

The purpose of these Guidelines is to provide guidance to the development industry, public and staff charged with processing development applications.

The primary objectives of this Guideline are:

- To ensure sufficient information is lodged to facilitate an informed decision by the City of Albany;
- To promote a transparent planning process that the community and the development industry can have confidence in; and
- To facilitate industry, community and regulator engagement.

Scope

These Guidelines apply to all applications for planning scheme consent lodged with the City of Albany.

Guidance Statement

All applications for Planning Scheme Consent received by the City of Albany are to be classified in accordance with appendix B (Decision Making Matrix), and processed in accordance with Table A (Application Level and Requirements) and decided upon in accordance with appendix A (Decision Mechanism).

Legislative Context

Planning and Development Act 2005;
Residential Design Codes;
Town Planning Scheme No. 1A and 3.

Review and Position Date

Executive Director Planning and Development Services to review on or before 11 October 2012.

TABLE A – APPLICATION LEVEL AND REQUIREMENTS

Level Application	Advertising (where required under Scheme or R-Codes@)	Referral	Legislation	Detail Supplied	Processing Times (Working Days)*
1	• Sign on-site • Immediate Neighbours • Newspaper Advertising	• Neighbours Only^	• Single Policy Issue	• Plans • Justification Report • Neighbours Comments	Permitted Uses – 25 working days. Discretionary Uses – 30 working days. Advertised Uses – 42 working days.
2	• Sign on-site • Newspaper advertising • Neighbourhood+	• Neighbourhood+ • Ward Councillors (copy plans) • Councillors Weekly Update	• Scheme Compliance • Council Policy Compliance • State Policy Compliance	• Plans • Justification Report • Images (elevations)	
3	• Consultation Pamphlet Distributed • Photomontage / or Image Provided • Letter to Locality# • Pre-assessment Councillor Inspection • Post Advertising Community Inspection • Sign(s) on site • Newspaper Advertising • Press Release (for major projects) • Developer Contact No.	• Community (Locality)# • All Councillors (copy plans) • Technical Input • Reports (independent) on Technical Information • Councillors to advise on issues requiring attention	• Scheme Compliance • Council Policy Compliance • State Policies Considered • Procedural Fairness • Legal Capacity to Make Decisions Determined • State Agency Guidelines Identified	• Plans • Constraints Map • Agency Consultation • Sub-Consultants Reports • Images • Justification/Audit Against All Planning Instruments • Contact Details (Liaison Officer)	

* Planning Application processing times against stated KPI"s are to be published quarterly from **March 2011**. These KPI"s are consistent with the ISO 9001 Planning Team Manual and the Planning Team Service Plans, forming part of Council"s Financial Sustainability Framework.

^ Except if proposal is an application under R-Codes (then referral to neighbours as per the definition within the R-Codes), notification to be sent to 3 properties either side of subject land on same side of street, 3 properties opposite and 3 properties behind.

\+ Shall generally mean the street block the application is within, however the full extent of those to be consulted shall be at the discretion of assessing officer.

\# Shall generally mean the locality (suburb) the application is within, however the full extent of those to be consulted shall be at discretion of assessing officer.

@Where an application involving the assessment of an element under the performance criteria of the R-Codes is made, such element shall be referred to adjacent landowners as per the consultation procedure stipulated within the Codes, except where in the opinion of the City of Albany's Executive Director Planning and Development Services, the variation is not likely to impact on the amenity of adjoining landowners. For the purposes of clarity all applications under the performance criteria of the Codes for Boundary Setbacks, Retaining Walls, Street Setbacks, Overlooking, Overshadowing and Building Height are to be referred to adjacent landowners. Where a proposal complies with the R-Codes yet is likely to be publicly controversial or of great interest to the adjoining landowner/s in the opinion of the City of Albany's Executive Director Planning and Development Services, a notification letter to surrounding landowners is to be sent explaining the proposed development and how the proposal complies with the Codes. In relation to all applications to be determined by Council the above procedure will be applied except there will be a presumption of possible adverse impact and in all cases the adjacent landholders will be notified.

APPENDIX 'A' – DECISION MECHANISM

(Refer Appendix B to determine whether the proposal is an A, B or C application)

A. SIMPLE APPLICATION

The application will be determined by an officer within the Planning and Development Services Directorate following receipt of comment from an adjoining landowner.

B. LARGER PROJECTS

The application will be determined by either the Manager or Executive Director within the Planning and Development Services Directorate after adjacent landowners, ward Councillors and in some matters the community generally have been consulted and the concerns raised have been "adequately addressed" * (refer process and clarification below).

* ***"Adequately addressed" requires:***

Where an application is advertised and:-

(a) No submissions were received the application is to be determined on its merits.
(b) Submissions objecting or seeking changes to the proposal were lodged, but were non-substantive, then a planning officer shall liaise with the person(s) who lodged the submission prior to determining the application. Depending on the submissions received the Executive Director Planning and Development Services shall determine if the matter warrants Council"s consideration.
(c) Submissions were lodged with substantive arguments against the proposal then the Executive Director Planning and Development Services may refuse the application or refer the application to Council for determination.

C. COMPLEX PROJECTS

The application will be determined by Council at an ordinary Council Meeting.

APPENDIX 'B' – DECISION MAKING MATRIX

Application Type	Req.	Mech.
RESIDENTIAL		
Single House (R-Codes)	1	A
Home Occupation	1	A
Relocated Dwelling	1	A
Family Day Care	1	A
Institutional Home	1	B
Grouped Dwellings (<10 units)	1	A
Grouped Dwellings (10 - 25 units	2	B
Grouped Dwellings (>25 units)	2	C
Aged Persons Dwellings (<20 units)	1	A
Aged Persons Dwellings (>20 units)	1	B
Multiple Dwellings (2 storeys)	1	A
Multiple Dwellings (> 2 storeys)	2	B
Home Business	2	B
Aged Persons Village	2	B
Residential Building (<10 rooms)	1	B
Residential Building (>10 rooms)	2	B
Institutional Building (<10 rooms)	2	B
Institutional Building (>10 rooms)	3	B
Nursing Home	2	B
COMMERCIAL / CULTURAL		
Consulting Rooms	2	B
Bulky Goods Outlet	1	B
Cinema	2	B
Fast Food Outlet	2	B
Holiday Accommodation (<10 units)	1	A
Holiday Accommodation (10 – 25 units)	2	B
Holiday Accommodation (>25 units)	3	C
Hotel	3	C
Office (<300m^2 NLA)	1	B
Office (>300m^2 NLA)	2	B
Liquor Store	2	B
Motel	3	C
Night Club	3	C
Restaurant	2	B
Service Station	2	B
Shop (<300m^2 NLA)	1	B
Shop (>300m^2 NLA)	2	B
Tavern	3	C
Vehicle Sales/Hire	1	A
Education Establishment (<30 students)	1	B
Education Establishment (>30 students)	2	C
House of Worship (<40 seats)	2	B
House of Worship (>40 seats)	3	C
Day Care Centre	2	B
Private Recreation	2	B
Club Premises	2	B
Hospital (<18 beds)	2	B
Hospital (>18 beds)	3	C
Medical Clinic	2	B
Museum	2	B
Restricted Premises	3	C

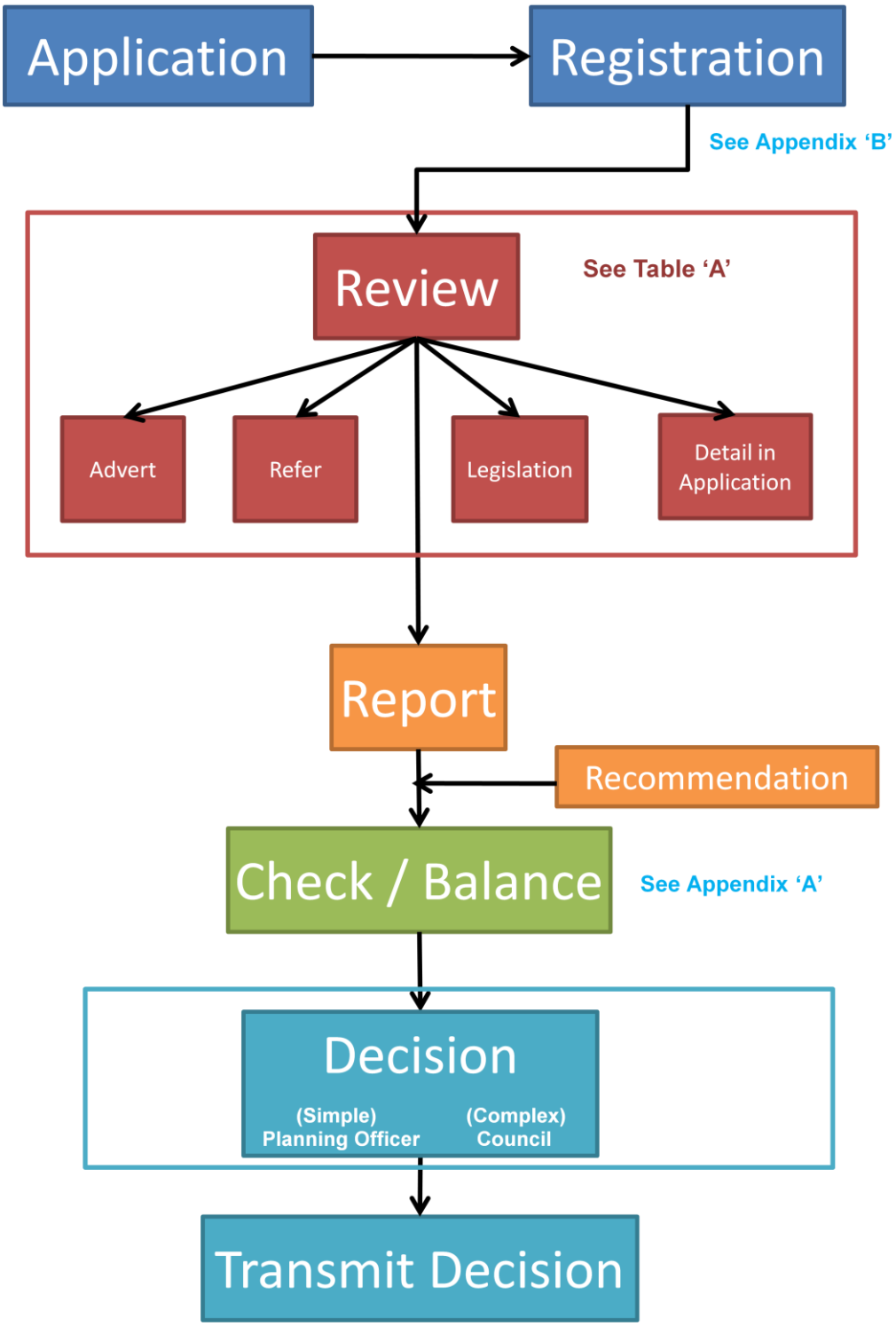
Application Type	Req.	Mech.
Veterinary Clinic	1	B
Veterinary Hospital	2	B
Funeral Parlour	2	B
Public Utility	1	A
Public Amusement	1	B
Cemetery	3	C
Garden Centre	2	B
RURAL		
Chalets	1	B
Caravan Park	3	C
Kennels (<10 kennels)	2	B
Kennels (>10 kennels)	2	C
Silviculture	1	A
Stockyards	2	B
Horticulture	1	B
Winery	2	B
Rural Industry	2	B
INDUSTRIAL		
Fuel Depot	2	C
Light Industry	1	A
General Industry	2	B
Noxious Industry	3	C
Service Industry	1	A
Extractive Industry (Hard Rock)	3	C
Extractive Industry (Other)	2	B
Vehicle Repair Station	1	B
Junk Yard	2	C
Transport Depot	1	B
Warehouse	1	A
EXCEPTIONS:		
• Expansion or upgrading of existing land uses within confine of current lot (notwithstanding above requirement).	1	A
• Where prescribed maximum number units/rooms places application into alternate decision making category.	2	B
• Use not Listed and declared as prohibited land use.	-	A
• Use not Listed and declared discretionary land use.	2	B
• Applications that are inconsistent with Council Policy* (refer clarification below)	2	B/C

OTHER REQUIREMENTS:

* Where a development application does not comply with an adopted local planning policy staff shall either refuse the application, or where there is significant merit to relax the provisions of the policy the item will be presented to Council for consideration.

* Where an application is required to be referred to the Great Southern Joint Development Assessment Panel, Council and staff do not have delegation to make a decision (ie. applications over $7 million in value, or where valued between $3 and $7 million and the proponent chooses to make application via the DAP).

APPLICATION FLOW CHART



PLANNING DELEGATION

SCHEDULE 1
TOWN PLANNING SCHEME 1A

In accordance with Section 7.22 of the City of Albany Town Planning Scheme 1A and Section 5.42 of the Local Government Act 1995 and subject to the limitations noted, the Council delegates the Chief Executive Officer the authority to deal with those applications for approval to commence development stated below:

A. Section 2.2: an application to carry out development on reserved land in accordance with the intended purpose of the Reserve.
Delegated

B. Section 3.4: to determine a use class for a particular development application.
Delegated

C. Section 3.6: to determine the particular use or purpose of a development where it is not mentioned in a use class and determine whether it should be carried out in a particular zone for the orderly and proper planning of the locality and the preservation of its amenity.
Delegated

D. Section 3.8: to impose conditions upon developments upon Special Sites where the development is consistent with the Town Planning Scheme.
Delegated

E. Section 4.1(a): to grant approval to develop land where the development complies with the zone development table.
Delegated
Conditions:

- ***all projects to comply with Council guidelines and policies***
- ***does not apply to those applications that require referral to the Great Southern Joint Development Assessment Panel***
- ***in accordance with Council's Processing Planning Applications Guidelines***
- ***includes authority to refuse an application***

F. Section 4.1(b): to develop land for the uses mentioned in the Use Development Table where the development is consistent with that table.
Delegated
Conditions:

- ***all projects to comply with Council guidelines and policies***
- ***does not apply to those applications that require referral to the Great Southern Joint Development Assessment Panel***
- ***in accordance with Council's Processing Planning Applications Guidelines***
- ***includes authority to refuse an application***

G. Section 4.5: to determine within a development site what constitutes landscaping areas for the purposes of Appendix III and IV.
Delegated

H. Section 4.7: to seek details from applicants, in the form of a landscaping plan, on intended plantings and surface treatments and existing trees and shrubs to be retained.
Delegated

I. Section 4.8: to determine which street is the street frontage for the purposes of determining setbacks where a lot has more than one street frontage.
Delegated

J. Section 4.9: to determine whether a development should have vehicular access from the lot to a major road reserve.
Delegated

K. Section 4.10: to relax the provisions of the scheme where the proposal would be consistent with the proper and orderly planning and the preservation of the amenity of the locality.
Delegated
Condition:

- ***all projects to comply with Council guidelines and policies***

L. Section 4.20: to determine if the R20 Code standards for Attached Houses and Group Dwellings should apply in the R12.5 Code area after assessing the suitability of on-site effluent disposal.
Delegated

M. Section 4.23: to permit within the front setback of property zoned Residential or Tourist Residential a vessel or caravan to remain for more than 4 days consecutively.
Delegated

N. Section 4.24: to allow within the front setback of a property zoned Residential or Tourist Residential a persons to use land for a purpose other than landscaping, access or parking.
Delegated

O. Section 4.27: to grant approval for open storage purposes which has been screened.
Delegated

P. Section 4.38: to grant special approval to develop a shop in a Tourist Residential zone.
Delegated

Q. Section 5.2: to grant approval for the alteration of a building or use upon a site where a non-conforming use right exists and the development is in conformity with the provisions and requirements of the scheme.
Delegated

R. Section 5.3: to permit a change in land use upon a non-conforming use site where the new use is less detrimental to the amenity of the locality of the neighbourhood than the existing use.

Delegated

S. Section 6.2: to permit the development of a Place of Heritage Value in accordance with a policy adopted by Council.
Delegated

T. Section 7.1: to require further particulars from a person who desires to develop land.
Delegated

U. Section 7.4: to determine further particulars which should form part of an application for Council's special consent.
Delegated

V. Section 7.5: for a use marked SA in the Zoning Table arrange for the appropriate notices to be sent to owners and occupiers of adjoining land, for advertisements to be placed in a local newspaper and for a sign to be erected on the site.
Delegated
Condition:

- ***In accordance with Council's Processing Planning Applications Guidelines***

W. Section 7.6: to decide whether to grant or refuse a special consent after the consideration of submissions lodged following the notification of a development application pursuant to Section 7.5.
Delegated
Conditions:

- ***In accordance with Council's Processing Planning Applications Guidelines***
- ***does not apply to those applications that require referral to the Great Southern Joint Development Assessment Panel***

AA. Section 7.8: to take into consideration certain matters when making a decision on an application for planning consent.
Delegated

BB. Section 7.8A: to allow "Matters to be Considered" to be taken into consideration when making a decision on an application for planning consent.
Delegated

CC. Section 7.9: to grant a planning consent with or without conditions or refuse to grant a consent, allows withdraw of planning approval, allows time periods to be specified and not use or occupy buildings without Council approval.
Delegated
Conditions:

- ***In accordance with Council's Processing Planning Applications Guidelines***
- ***does not apply to those applications that require referral to the Great Southern Joint Development Assessment Panel***
- ***all projects to comply with Council guidelines and policies***

DD. Section 7.10: to establish the value and agree to accept a bond pledging a fund of money to carry out works required as conditions of a planning or special consent.
Delegated

EE. Section 7.11: to notify each person who made a submission following the publication of a notice of the decision of Council and any conditions imposed.
Delegated

FF. Section 7.12(b): to enter into agreements or arrangements with the owner of land in the Scheme Area for the conduct and management of the Scheme.
Delegated

GG. Section 7.14: to take action against the owner for non compliance with the Scheme
Delegated

HH. POLICIES (Various)
Delegated
Condition:

- ***in accordance with Council's Processing Planning Applications Guidelines***

In addition to the Scheme provisions and policies adopted by Council, the delegate must comply with guidelines and procedures established by the Planning and Development Services Directorate for the processing and administration of development applications.

PLANNING DELEGATION

SCHEDULE 2
TOWN PLANNING SCHEME 3

In accordance with section 6.10 of the City of Albany, Town Planning Scheme No. 3 and Section 5.42 of the Local Government Act 1995 and subject to the limitations noted, Council delegates to the Chief Executive Officer the authority of Council to deal with those applications for approval to commence development as stated below:

A. Section 2.2(b): an application to carry out development on reserved land in accordance with the intended purpose of the Reserve.
Delegated

B. Section 2.2(c): to confer with a public authority on using reserved land.
Delegated

C. Section 3.2: to determine whether a use not listed in the Use Class Table should be prohibited or advertised and determine whether to permit or prohibit the use.
Delegated

D. Section 3.5: to approve a shop or cafe as an incidental use in a Service Station Zone.
Delegated

E. Section 3.6: to determine applications to uses specified in clause 5.3 and Schedule 1 and enforce special site provisions.
Delegated

F. Section 3.7: to determine applications for uses - Special Site.
Delegated

G. Section 3.8: to determine applications for uses – Additional Use sites.
Delegated

H. Section 3.9: to determine applications for uses – Special Use sites.
Delegated

I. Section 4.2(a): to grant approval to extend or alter a non-conforming use on Reserved land.
Delegated

J. Section 4.3: to grant approval to approve the change of use of a nonconforming use to another use.
Delegated

K. Section 5.1.1: to grant approval to commence development.
Delegated
Conditions:
- ***all projects to comply with Council guidelines and policies.***
- ***in accordance with Council's Processing Planning Applications Guidelines.***
- ***does not apply to those applications that require referral to the Great Southern Joint Development Assessment Panel***
- ***includes authority to refuse an application.***

L. Section 5.2: to consult with statutory or public authority.
Delegated

M. Section 5.3.1: to grant approval to commence development and place conditions.

N. Section 5.3.4: to ensure conditions of Planning Scheme Consent have been complied with prior to occupancy of use.
Delegated
Conditions:
- ***all projects to comply with Council guidelines and policies.***
- ***in accordance with Council's Processing Planning Applications Guidelines.***
- ***includes authority to refuse an application.***

O. Section 5.3.6: to allow planning scheme consents and conditions to be amended or revoked.
Delegated
Condition:
- ***all projects to comply with Council guidelines and policies.***

P. Section 5.4: to allow "Matters to be Considered" to be take into consideration when making a decision on an application for planning consent.
Delegated

Q. Section 5.6(f): to require the preservation of tree(s) in a Special Rural Zone.
Delegated

R. Section 5.8: to allow variation to minimum lot sizes in the R20 coded area and varying the setbacks specified in the Residential design Codes.
Delegated

S. Section 5.10: to determine street setback for buildings.
Delegated

T. Section 5.11: to determine the type of building finished to the facade of industrial buildings.
Delegated

U. Section 5.12: to grant approval for the alternate use of a setback area on lots in Industrial Zones.
Delegated

V. Section 5.13d: to reduce the size of the access way along the side of a building.
Delegated

W. Section 5.14(b)(i) – to reduce the setbacks to developments in the Milpara General Industry Zone.
Delegated

X. Section 5.14(b)(ii) – to require landscaping in the Milpara General Industry Zone to improve amenity.
Delegated

Y. Section 5.16 – to relax the Scheme Provisions where it is consistent with proper and orderly planning.
Delegated
Condition:
- ***all projects to comply with Council guidelines and policies***

Z. Section 5.18(a) – to adopt a plan to guide subdivision in the Down Road Special Industry Zone.
Not Delegated

AA. Section 5.18(d)(ii) – to determine the setbacks to developments in the Down Road Special Industry Zone.
Delegated

BB. Section 5.18(e) – to allow alternate land uses within ten metres of a lot boundary in the Down Road Special Industry Zone.
Delegated

CC. Section 5.18(f) – to require landscaping as part of a development in the Down Road Special Industry Zone.
Delegated

DD. Section 5.18(g) – to refer applications for Special Industries in the Down Road Special Industry Zone to the Environmental Protection Agency.
Delegated

EE. Section 5.18(h) – to impose those conditions on a development consent in the Down Road Special Industry Zone that the Environmental Protection Agency sees fits.
Delegated

FF. Section 5.19(a) – to require an owner to prepare a submission to support the creation of a Special Residential Zone.
Delegated

GG. Section 5.19(b) – to determine what areas need to be set aside on a plan of subdivision forming part of the rezoning documents in a Special Residential Zone.
Delegated

HH. Section 5.19(d) – to determine applications for uses listed in Schedule IV and enforce Scheme provisions
Delegated

II. Section 5.20(a) – to grant approval for the use of a relocated dwelling on a lot.
Delegated
Conditions:
- ***in accordance with Council's Processing Planning Applications Guidelines.***
- ***all projects to comply with Council guidelines and policies.***

JJ. Section 5.20(c) – to impose conditions on a Planning Consent to relocate a dwelling on a lot.
Delegated

KK. Section 5.20(c)(ii) – to seek a bond from an owner seeking to relocate a dwelling to ensure the completion of the dwelling.
Delegated

LL. Section 5.21(a) – to prepare a submission supporting the creation of a Conservation Zone.
Delegated

MM. Section 5.21(d) – to ensure buildings and effluent disposal systems are satisfactorily sited in a Conservation Zone.
Delegated

NN. Section 5.21(g) – to ensure measures are taken to safeguard against dieback within Conservation Zones.
Delegated

OO. Section 5.21(h) – to discourage the establishment of reticulated lawns in Conservation Zones.
Delegated

PP. Section 5.21(j) – to ensure the satisfactory provision and maintenance of strategic firebreaks in Conservation Zones.
Delegated

QQ. Section 5.21(k) – to require and set standards for limiting clearing around all structures in Conservation Zones.
Delegated

RR. Section 5.21(e) – to require landowners to maintain satisfactory fire fuel levels on lots.
Delegated

SS. Section 5.21(m) – to make arrangements to ensure landowners, on the transfer of lots, make prospective purchasers aware of Fire Management Guidelines.
Delegated

TT. Section 5.21(n) – to ensure developments are established in accordance with requirements for Visual Resource Protection.
Delegated

UU. Section 5.23(a)(iii) – to determine if a development is wholly within the relevant buffer area for the Elizabeth Street Special Industry Zone.
Delegated

VV. Section 5.23(a)(vii) – to determine the impact of the Elizabeth Street Special Industry Zone on adjoining residential development.
Delegated

WW. Section 5.23(a)(x) – to determine the suitability of stormwater disposal on lots in the Elizabeth Street Special Industry Zone.
Delegated

XX. Section 5.23(a)(xi) – to determine the adequacy of effluent disposal systems on lots in the Elizabeth Street Special Industry Zone.
Delegated

YY. Section 5.23(a)(xiii) – to determine the satisfaction of landscaping plans for developments on lots in the Elizabeth Street Special Industry Zone.
Delegated

ZZ. Section 5.23(a)(xiv) – to determine if landscape areas and remnant vegetation retention areas are managed and maintained and if vegetation should be removed from those areas.
Delegated

AAA. Section 5.27 – to determine on site effluent disposal systems.
Delegated

BBB. Section 6.5(a) – to serve notices on any person who contravenes the Scheme.
Delegated

CCC. Section 6.6(c) – to direct that certain action be taken to ensure compliance with the provisions of the Scheme.
Delegated

DDD. Section 6.6(d) – to determine the necessity to enter upon land to remedy a default when notice is given to a person.
Delegated

EEE. Section 6.8 – to enter into agreements with owners of occupiers of land in respect of any matter pertaining to the Scheme.
Delegated

FFF. Policies Introduced Pursuant To Section 6.9.1 of the Scheme.
Delegated
Condition:

- ***in accordance with Council's Processing Planning Applications Guidelines.***

In addition to the scheme provisions and policies adopted by Council, the delegate must comply with guidelines and procedures established by the Planning and Development Services Directorate for the processing and administration of development applications.

1.5: STANDING ORDERS LOCAL LAW (MEETING PROCEDURES)

Responsible Officer : Chief Executive Officer (F James)
Attachment :

THE PAPER FOR THIS AGENDA ITEM IS AWAITING THE OUTCOME OF DISCUSSION AT THE ELECTED MEMBER WORKSHOP TO BE HELD ON TUESDAY 27 SEPTEMBER 2011.

THE PAPER WILL BE INCLUDED IN THE MEETING FINAL PAPERS FOR THE OCTOBER 2011 OCM.

LOCAL GOVERNMENT ACT 1995

CITY OF ALBANY

MEETING PROCEDURES LOCAL LAW 2011

LOCAL GOVERNMENT ACT 1995

City of Albany

MEETING PROCEDURES LOCAL LAW 2011

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LOCAL GOVERNMENT ACT 1995

CITY OF ALBANY

MEETING PROCEDURES LOCAL LAW 2011

Under the powers conferred by the *Local Government Act 1995* and under all other relevant powers, the City of Albany resolved on [*INSERT DATE*] to make the following local law.

PART 1 – PRELIMINARY

1.1 Citation
This local law may be cited as the *City of Albany Meeting Procedures Local Law 2011*.

1.2 Commencement
This local law commences on the fourteenth day after it is published in the *Government Gazette*.

1.3 Application and intent
(1) These Meeting Procedures contain the rules that apply to the conduct of meetings of the Council of the City of Albany, and its Committees and to meetings of electors.
(2) All Meetings are to be conducted in accordance with the Act, its Regulations and these Meeting Procedures Local Law.
(3) These Meeting Procedures are intended to result in:
    (a) better decision-making by Council and its Committees;
    (b) the orderly conduct of meetings dealing with Council business;
    (c) better understanding of the process of conducting meetings; and
    (d) the more efficient and effective use of time at Meetings.

1.4 Interpretation
Unless otherwise defined in these local laws, terms and expressions used in these local laws are to have the meaning given to them in the Act and Regulations.

"Act" means the Local Government Act 1995;

"CEO" means the Chief Executive Officer of the City of Albany, or the CEO's delegate;

"**City**" means the City of Albany;

"Committee" means a Committee of Council established under section 5.8 of the Act;

"Council" means the Council of the City;

"Meeting" means a meeting of Council or a Committee, or an electors meeting as the context requires.

"Member" means a member of Council or a Committee, as the context requires.

"Presiding Member" means:

(e) in respect of Council, the person presiding under section 5.6 of the Act; and

(f) in respect of a Committee, the person presiding under sections 5.12, 5.13, and 5.14 of the Act;

"Substantive motion" means an original motion or an original motion as amended, of a substantive nature, and does not include a procedural motion.

1.5 Repeal

The *City of Albany Standing Orders Local Law 2009* published in the *Government Gazette* on 24 June 2009 is repealed.

PART 2 – MEETINGS OF COUNCIL AND COMMITTEES

2.1 Ordinary and special Council Meetings

(1) An ordinary Meeting of Council is for the purpose of considering and dealing with the ordinary business of Council and may include any matter the CEO considers should be decided at the Meeting.

(2) A special Meeting of Council is held for the purpose of considering and dealing with Council business that is of an urgent nature and for a particular purpose.

2.2 Committee Meetings

(1) The CEO is to call a Meeting of any Committee when requested:

(a) by the Presiding Member of the Committee or

(b) In writing, by the majority of Members of that Committee.

(2) In convening a Meeting of a Committee, the CEO is to give each Member at least 72 hours notice of the date, time, place and purpose of the Meeting.

(3) The Committee Meeting notice may include any matter the CEO considers should be considered at the Meeting

2.3 Quorum for Meetings

(1) If at any time during a Meeting a quorum is not present the Presiding Member must immediately suspend the Meeting for at least five minutes and not more than 30 minutes.

(2) If, at the end of the stated period, there is no quorum, the Presiding Member is to adjourn the Meeting or extend the extension period for a further 30 minutes.

(3) If a quorum is not present at the end of the extended period under sub-clause (2), the Presiding Member is to adjourn the Meeting to be resumed at some future time and date.

(4) At any Meeting:

(a) at which there is not a quorum present; or

(b) which is adjourned for want of a quorum,

the names of the Members then present are to be recorded in the minutes.

PART 3 - BUSINESS OF A MEETING

3.1 Business to be specified

(1) No business is to be transacted at any ordinary Meeting of Council other than that specified in the agenda, without the approval of Council.

(2) No business is to be transacted at a special Meeting of Council other than that specified in the agenda.

(3) Subject to sub-clause (4), no business is to be transacted at an adjourned Meeting of Council other than that which remains unresolved and is specified in the agenda of the Meeting which had been adjourned.

(4) Where a Meeting is adjourned to the next ordinary Meeting of Council then, unless Council resolves otherwise, the business unresolved at the adjourned Meeting is to be dealt with before considering City officer Reports at that ordinary Meeting.

(5) The business to be transacted at a Committee Meeting is that specified in the Meeting agenda and any other business approved at the Meeting by the Presiding Member.

3.2 Order of business

(1) Unless otherwise decided by Council, the order of business at any ordinary Meeting of Council will be:

- (a) Declaration of opening
- (b) Prayer
- (c) Record of apologies and leave of absence
- (d) Disclosures of interests
- (e) Reports of Members
- (f) Response to previous public questions taken on notice
- (g) Public question time
- (h) Applications for leave of absence
- (i) Petitions and Deputations
- (j) Confirmation of minutes
- (k) Presentations
- (l) Unresolved business from previous Meetings
- (m) Minutes and recommendations of Committees
- (n) New business of an urgent nature introduced by decision of Council
- (o) Motions of which previous notice has been given
- (p) Reports of City officers
- (q) Meeting closed to public
- (r) Closure

(2) The order of business at any special Meeting of Council is to be the order in which that business stands in the agenda of the Meeting.

(3) Unless otherwise decided by the Committee, the order of business at any Committee Meeting is to be the order in which that business stands in the agenda of the Meeting.

(4) Notwithstanding sub-clauses (1), (2) and (3), the Presiding Member or the CEO may include on the agenda of an ordinary Council or Committee Meeting in an appropriate place within the order of business, any matter which the CEO considers must be decided at that Meeting.

3.3 Presentations

(1) In this clause, a "presentation" includes the acceptance of a gift or an award by Council on behalf of the City or the community.

(2) A presentation may be made to Council or a Committee at a Meeting only with the prior approval of the Presiding Member.

3.4 New business of an urgent nature

(1) In cases of extreme urgency, matters may, on a motion:
   (a) by a Member that the matter should be considered by Council at the Meeting because of its urgency, and
   (b) carried by absolute majority of Council that the matter is urgent,

be raised without notice and decided at the Meeting.

(2) In sub-clause (1), "cases of extreme urgency" means matters that:
   (a) have arisen after the publication of the agenda that are considered by Council to be of such importance and urgency that they are unable to be dealt with administratively by the CEO and
   (b) must be considered and dealt with by Council before the next ordinary Council Meeting.

(3) In considering an urgent matter without notice, Council must have available to it sufficient information to make an informed decision, and if Council considers such information is not available, it must adjourn the matter.

(4) Despite sub-clause (1), exercise of a discretion or a legislative power under a Town Planning Scheme cannot be considered as an urgent matter under clause 3.4.

3.5 Motions of which previous notice has been given

(1) A notice of motion under item 14 of clause 3.2 (1) is to be given no less than ten days before the Meeting at which the motion is moved.

(2) The CEO:
   (a) may, with the concurrence of the Presiding Member, exclude from the Council papers any notice of motion which is, or is likely to involve, a breach these Meeting Procedures or any other law;
   (b) will inform the Member making the motion the reasons for any such exclusion;
   (c) may provide to Council relevant facts, information and circumstances pertaining to the notice of motion.

(3) A motion of which notice has been given will lapse unless the Member who gave notice of it moves the motion when called on.

PART 4 - PUBLIC PARTICIPATION

4.1 Meetings not open to the public

(1) A motion to close a Meeting to members of the public may be made without notice.

(2) The CEO may, at any time, recommend that a Meeting or part of a Meeting be closed to members of the public.

(3) If a Meeting is to be closed to members of the public:

(a) the Presiding Member is to direct everyone to leave the Meeting except:

(i) the Members;

(ii) the CEO;

(iii) any officer specified by the CEO;

and

(b) the Meeting is to be closed to the public until, at the conclusion of the matter justifying the closure of the Meeting to the public, Council or the Committee decides otherwise.

(4) A person who fails to comply with a direction under sub-clause (3) may, by order of the Presiding Member, be removed from the Meeting.

(5) Once the Meeting is reopened to members of the public, the Presiding Member is to ensure:

(a) any resolution made while the Meeting was closed to the public is read out;

(b) the vote of Members is included in the minutes.

4.2 Procedures for public question time

(1) A member of the public who raises a question or makes a statement during question time must:

(a) first state their name and address;

(b) direct the question or statement to the Presiding Member;

(c) ask the question briefly and concisely; and

(d) limit any preamble to matters directly relevant to the question or statement.

(2) A question may be taken on notice by the Presiding Member or CEO for a response no later than seven days after the Meeting.

(3) When a question is taken on notice, the CEO is to ensure that:

(a) the response is given to the member of the public in writing; and

(b) the response is included in the papers of the next Meeting.

(4) A response to a question:

(a) is to be brief and concise; and

(b) is not to be the subject of any discussion except that, if in the opinion of a Member or the CEO, false information or adverse reflection is contained in any question asked or statements made by a member of the public, then the Member or CEO may correct or clarify the matter.

(5) The Presiding Member may decide that a public question shall not be responded to where:

(a) the same or similar question was asked at a previous Meeting, a response was provided and the member of the public is directed to the minutes of the Meeting at which the response was provided;

(b) the member of the public asks a question or makes a statement that is offensive, unlawful or defamatory in nature, provided that the Presiding Member has taken reasonable steps to assist the member of the public to rephrase the question or statement in a manner that is not offensive, unlawful or defamatory.

(6) The total time allowed for public question time will be no more than thirty minutes.

(7) Each member of the public shall have up to two minutes in total to ask questions or make statements.

(8) Council may agree to extend public question time.

(9) Where a public question is asked or a statement given at a Meeting, a summary of the question or statement and any answer is to be included in the minutes.

4.3 Distinguished visitors

If a distinguished visitor is present at a Meeting, the Presiding Member may acknowledge the presence of the distinguished visitor at an appropriate time during the Meeting, and the presence of that visitor shall be recorded in the minutes.

4.4 Deputations

(1) Any person or group wishing to be received as a deputation by Council or a Committee is to apply in writing to the Presiding Member for approval at least seven days prior to the Meeting.

(2) The Presiding Member may either:
   (a) approve the request and invite the deputation to attend the Meeting; or
   (b) refer the request to Council or the Committee to decide whether or not to receive the deputation.

(3) Unless Council or the Committee resolves otherwise, a deputation invited to attend a Meeting:
   (a) is not to exceed five persons, only two of whom may address the Meeting, although all five may respond to specific questions from Members;
   (b) is not to address the Meeting for a period exceeding eight minutes without the agreement of Council or the Committee; and
   (c) may only address the Meeting on matters included in the agenda.

(4) Any matter which is the subject of a deputation to Council is not to be decided by Council until the deputation has completed its presentation.

4.5 Petitions

(1) A petition is to:
   (a) be addressed to the CEO or the Presiding Member;
   (b) be made by at least fifty electors of the City;
   (c) state the request and contain a summary of the reasons for the request on each page of the petition;
   (d) contain the name, address and signature of each elector making the request, and the date each elector signed; and
   (e) state the name of the person to whom, and an address at which, notice to the petitioners can be given.

(2) Upon receiving a petition, the CEO is to submit the petition to the next ordinary Meeting of Council.

(3) The CEO may provide to Council relevant facts, information and circumstances pertaining to the petition.

(4) At any Meeting, Council is not to vote on any matter that is the subject of a petition presented to that Meeting, unless:
   (a) the matter is the subject of a Report included in the agenda; and
   (b) Council has considered the issues raised in the petition.

4.6 Participation at Committee Meetings

(1) Without the consent of the Presiding Member, a person who is not a member of that Committee cannot address a Committee Meeting.

(2) The Presiding Member of a Committee will determine the length of time any person addressing the Committee will be given to speak.

(3) A person who fails to comply with any reasonable direction of the Presiding Member may, by order of the Presiding Member, be removed from the Committee room.

4.7 Confidentiality of information withheld

(1) Information withheld by the CEO from the public is to be:
   (a) identified in the agenda of a Meeting under the item "Matters for which Meeting may be closed";
   (b) marked "Confidential" in the agenda; and
   (c) kept confidential by City officers and Members until Council resolves otherwise.

(2) A Member or a City officer who has:
   (a) confidential information under sub-clause (1);
   (b) information that is provided or disclosed during a Meeting or part of a Meeting that is closed to the public,

   must not to disclose that information to any person other than another Member or the CEO to the extent necessary for the purpose of carrying out their duties.

(3) Sub-clause (2) does not prevent a Member or City officer from disclosing information:
   (a) at a Meeting closed to the public;
   (b) to the extent specified by Council and subject to such other conditions as Council decides;
   (c) that is already in the public domain;
   (d) to the Minister;
   (e) to a legal practitioner for the purpose of obtaining legal advice; or
   (f) if the disclosure is required or permitted by law.

4.8 Recording of Meetings

(1) No person other than the Meeting secretary is to use any recording device or instrument to record Meetings without the written permission of the Presiding Member.

(2) When a Meeting is closed to the public, the recording of the Meeting will cease.

(3) Subject to the approval of the CEO, Members and City officers may have reasonable access to listen to the recordings of Meetings for purposes relevant to the performance of their role.

(4) All recordings are to be retained as part of the City's records in accordance with the State Records Act 2000 and other archival legislation.

4.9 Prevention of disturbance

(1) A person addressing Council or a Committee shall extend due courtesy and respect to Council or the Committee, and its Members, and the processes under which it operates, and shall comply with any direction by the Presiding Member.

(2) A person shall not create a disturbance at a Meeting.

(3) In this clause, "create a disturbance" includes:
   (a) using insulting, offensive or threatening language;
   (b) behaving in an insulting, offensive or threatening manner;
   (c) behaving in a disorderly way;
   (d) acting in a manner that brings the Council or Committee into disrepute; or
   (e) disrupting, disturbing, interfering with, or interrupting the Meeting

(4) A person shall ensure that their mobile telephone and audible pager cannot be heard during any Meeting.

(5) If a person who fails to comply with this clause, the Presiding Member may warn that person to so comply.

(6) If, after being warned by the Presiding Member under sub-clause (5), a person:
   (a) again acts contrary to this clause, or to these Meeting Procedures; or
   (b) refuses or fails to comply with a direction by the Presiding Member,

   the Presiding Member may order the person to leave the room.

(7) A person who is ordered to leave the Meeting room under sub-clause (5) and fails to do so may, by order of the Presiding Member, be removed from the Meeting and from the premises.

(8) A person shall not behave in a manner that is contrary to section 75 of the Criminal Code.

> Any person who by violence, or by threats or intimidation of any kind, hinders or interferes with the free exercise of any political right by another person, is guilty of a crime, and is liable to imprisonment for 3 years.
>
> [Section 75 of the Criminal Code]

PART 5 - QUESTIONS BY MEMBERS

(1) Members may ask questions relating to an item on the agenda.
(2) The CEO or a City officer shall endeavour to answer the question to the best of their knowledge, however, if the information is unavailable or the answer requires research or investigation, the CEO will provide, on the request of and to the Member who asked the question, the answer to the question within seven days.
(3) Every Member question and answer:
    (a) is to be brief and concise; and
    (b) is not to be accompanied by argument or expression of opinion except to the extent necessary to explain the question or answer.
(4) In answering any question, the CEO and any City officer may qualify their answer and may at a later time in the Meeting, or at a subsequent Meeting, alter, correct, add to or otherwise amend the original answer.

PART 6 – CONDUCT OF MEMBERS

6.1 Seating Position of Members

(1) The CEO is to allot a position at the Council chamber to each Member.
(2) Each Member is to occupy their allotted position at each Council Meeting.

6.2 Titles to be used

A speaker, when referring to the City of Albany Mayor or Deputy Mayor, Presiding Member, a Member or City officer, is to use the title of that person's office.

6.3 Advice of entry or departure

During the course of a Meeting, a Member is not to enter or leave the Meeting without first advising the Presiding Member, in order to facilitate the recording in the minutes of the time of entry or departure.

6.4 Members to indicate their intention to speak

A Member who wishes to speak is to indicate their intention by raising their hand or by another method agreed by the Presiding Member.

6.5 Priority of speaking

(1) Where two or more Members indicate, at the same time, their intention to speak, the Presiding Member is to decide which Member is entitled to be heard first.

(2) A decision of the Presiding Member under sub-clause (1) is not open to discussion or dissent.

(3) A Member is to cease speaking immediately after being asked to do so by the Presiding Member.

6.6 Presiding Member may take part in debates

The Presiding Member may take part in the discussion of any matter at a Meeting, subject to compliance with these Meeting Procedures.

6.7 Relevance

A Member is to restrict their remarks to the motion or any amendment of it under discussion, or to a personal explanation or point of order.

6.8 Speaking twice

(1) A Member is not to address a Council Meeting more than once on any motion or amendment except:
   (a) as the mover of a substantive motion, to exercise a right of reply; or
   (b) to raise a point of order.

(2) A Member who asks a question under Part 5 has not addressed the Meeting for the purposes of this clause.

6.9 Duration of speeches

(1) A Member is not to speak on any matter at a Council Meeting for more than four minutes without the consent of Council which, if given, is not subject to debate.

(2) An extension under this clause cannot be given to allow a Member's total speaking time to exceed eight minutes.

6.10 No speaking after conclusion of debate

A Member is not to speak on, or ask questions in respect of, any motion or amendment after the mover has replied.

6.11 No interruption

(1) A Member is not to interrupt another Member who is speaking except to:
   (a) raise a point of order;
   (b) call attention to the absence of a quorum;
   (c) make a personal explanation under clause 6.13; or
   (d) move a procedural motion that the Member be no longer heard under Part 7(1)(e)
   (e) call attention to irrelevant or repetitious statements by the speaker.

(2) The Presiding Member may direct the Member who was speaking, to discontinue speaking, and the Presiding Member will address the matter raised under sub-clause (1).

(3) A Member is to comply with the direction of the Presiding Member under sub-clause (2) by immediately ceasing to speak.

6.12 Personal explanations

(1) A Member who wishes to make a personal explanation relating to a matter raised by another Member who is then speaking, is to indicate to the Presiding Member their intention to make a personal explanation.

(2) The Presiding Member is to determine whether the personal explanation is to be heard immediately or at the conclusion of the speech by the other Member.

(3) A Member making a personal explanation is to confine their observations to a succinct statement relating to a specific part of the speech at which they may have been misunderstood.

6.13 No reopening of discussion

A Member is not to reopen discussion on any Council decision, except to move that the decision be revoked.

6.14 Presiding Member to preserve order

(1) The Presiding Member is to preserve order, and whenever they consider necessary, may call any Member to order.

(2) When the Presiding Member speaks during a debate, any Member then speaking, or indicating that they wish to speak, is to preserve strict silence so that the Presiding Member may be heard without interruption.

(3) Sub-clause (2) is not to be used by the Presiding Member to exercise the right provided in clause 6.6, but to preserve order.

6.15 Point of order

(1) A Member may object, by way of a point of order, only to a breach of any of these Meeting Procedures or any other law. Note: examples of valid points of order are where a speaker's:
   (a) remarks not being relevant to the motion or amendment being debated
   (b) use of expressions is offensive or objectionable.

(2) Despite anything in these Meeting Procedures to the contrary, a point of order:
   (a) takes precedence over any discussion; and
   (b) until determined, suspends the consideration or discussion of any other matter.

6.16 Procedures on a point of order

(1) A Member interrupted on a point of order is to cease speaking until:
   (a) the Member raising the point of order has been heard; and
   (b) the Presiding Member has ruled on the point of order and, if permitted, the Member who has been interrupted may then proceed.

(2) The Presiding Member is to rule on any point of order which is raised, by either upholding or rejecting the point of order.

(3) A ruling by the Presiding Member on a point of order:
   (a) is not to be the subject of debate or comment; and
   (b) is to be final unless by an absolute majority vote, on a motion moved immediately after the ruling, to dissent from the ruling.

(4) Subject to a motion of dissent being carried under sub-clause (3), if the Presiding Member rules that:
   (a) any motion, amendment or other matter before the Council or Committee is out of order, it is not to be considered further;
   (b) a statement made or act done by a Member is out of order, the Presiding Member may require the Member to make an explanation, retraction or apology.

(5) If a Member:
   (a) persists in any conduct that the Presiding Member had ruled is out of order under sub-clause (4); or
   (b) fails or refuses to comply with a direction from the Presiding Member
   (c) the Presiding Member may direct the Member to refrain from taking any further part in that Meeting, other than by voting, and the Member is to comply with that direction.

6.17 Right of Presiding Member to adjourn

(1) For the purpose of preserving or regaining order, the Presiding Member may adjourn the Meeting for a period of up to 15 minutes.

(2) On resumption, the debate is to continue at the point at which the Meeting was adjourned.

(3) If, at any one Meeting, the Presiding Member adjourns the Meeting more than once for the purpose of preserving or regaining order, the second or subsequent adjournment may be to another time on the same day or to another day.

6.18 Substantive motions

(1) A Member who wishes to move a substantive motion or an amendment to a substantive motion:
   (a) is to state the substance of the motion before speaking to it; and
   (b) if required by the Presiding Member, is to put the motion or amendment in writing.

(2) A substantive motion or an amendment to a substantive motion is not open to debate until it has been seconded.

(3) A decision required under Regulations 17(2) and 18 of the Town Planning Regulations (as amended) requires that Council pass a motion which either:
   (a) adopts the motion with or without modification; or
   (b) resolves that Council does not wish to proceed with the matter, and states a summary of the reasons why the Council does not wish to proceed with the matter.

6.19 Only one substantive motion to be considered at a time

When a substantive motion is under debate at a Meeting, no further substantive motion is to be accepted.

6.20 Order of call in debate

Subject to clause 6.19, the Presiding Member is to call speakers to a substantive motion in the following order:

(a) the mover to state the motion;
(b) a seconder to the motion;
(c) the mover to speak to the motion;
(d) the seconder to speak to the motion;
(e) a speaker against the motion;
(f) other speakers for and against the motion, alternating where possible; and
(g) the mover for a right of reply which closes debate.

6.21 Limit of debate

The Presiding Member may offer the right of reply and put a substantive motion to the vote at any time if they believe that sufficient discussion has taken place on an item, even though all Members may not have spoken.

6.22 Consent of seconder required for alteration

The mover of a substantive motion may not alter the wording of the motion without the consent of the seconder.

6.23 Order of amendments

Any number of amendments may be proposed to a substantive motion, but when an amendment is moved, no second or subsequent amendment is to be moved or considered until the first amendment has been withdrawn, carried or lost.

6.24 Amendment to motions

(1) An amendment must add, delete, or substitute words to the substantive motion, but not to such an extent that the amendment is substantive in its own right, or negates the original motion or the intent of the original motion.
(2) Each amendment is to be relevant to the motion in respect of which it is moved.
(3) If an amendment to a substantive motion is carried, the motion as amended then becomes the substantive motion, on which any Member may speak and any further amendment may be moved.

6.25 Withdrawal of motion or amendment

(1) Subject to sub-clause (2), Council may, without debate, approve the withdrawal of a motion or amendment, on the request of the mover of the motion or amendment, and with the approval of the seconder.
(2) Where an amendment has been proposed to a substantive motion, the substantive motion is not to be withdrawn, except by agreement of Council, until the amendment proposed has been withdrawn or lost.

6.26 Right of reply

(1) The mover of a substantive motion or any amendment to a substantive motion has the right of reply.

(2) The right of the reply may only be exercised:
   (a) where no amendment is moved to the substantive motion – at the conclusion of the discussion on the motion; or
   (b) where one or more amendments have been moved to the substantive motion – at the conclusion of the discussion on the substantive motion and any amendments.

(3) After the mover of the substantive motion has commenced their reply, there is to be no further discussion on, or any further amendment to, the motion.

(4) The right of the reply is to be confined to rebutting arguments raised by previous speakers and no new matter is to be introduced.

(5) At the conclusion of the right of reply, the substantive motion, or the substantive motion as amended, is immediately to be put to the vote.

6.27 Appropriate Member Behaviour

(1) After a motion is decided, a Member is not to adversely comment on the decision either during the Meeting or at any other time, except at a Meeting considering a motion that the decision be revoked.

(2) A Member is not during debate to:
   (a) adversely comment on the character of another Member or City officer;
   (b) impute any improper motive to a Member or City officer;
   (c) use offensive or objectionable expressions in reference to any Member, City officer or other person.

(3) A Member who, in the opinion of the Presiding Member, uses an expression or language, or makes a statement, which:
   (a) reflects adversely on the character of another Member or City officer;
   (b) imputes any improper motive to a Member or City officer; or
   (c) could reasonably be considered:
      (iv) irrelevant, repetitious, offensive or insulting;
      (v) disrespectful to another Member, including the Presiding Member;
      (vi) a breach of order or decorum by a Member;

   must, when directed by the Presiding Member, withdraw the expression, language or statement, and make an apology satisfactory to the other Member or City officer.

(4) If a Member or the CEO specifically requests (immediately after their use) that any particular words stated by them be recorded in the minutes:
   (a) the Presiding Member is to cause the words used to be taken down and read to the Meeting for verification; and
   (b) the minutes are to record those words.

(5) If a Member fails to comply with a direction of the Presiding Member under sub-clause (4) the Presiding Member may refuse to hear the Member further and call on the next speaker.

PART 7 - PROCEDURAL MOTIONS

(1) A Member may move the following procedural motions:
   (a) that the Meeting proceed to the next item of business;
   (b) that the item be adjourned;
   (c) that the Meeting be adjourned;
   (d) that the motion be now put;
   (e) that the Member be no longer heard;
   (f) that the ruling of the Presiding Member be disagreed with; or
   (g) that the Meeting be closed to the public [clause 4.1].

(2) The mover of a motion specified in paragraph (a), (b), (c), (f) or (g) of sub-clause (1) may speak to the motion for not more than one minute. The seconder is not to speak other than to formally second the motion, and there is to be no debate on the motion.

(3) The mover of a motion specified in paragraph (d) or (e) of sub-clause (1) is not to speak to the motion. The seconder is not to speak other than to formally second the motion, and there is to be no debate on the motion.

(4) No person who has moved, seconded, or spoken for or against the substantive motion, or any amendment to the substantive motion, may move any procedural motion which, if carried, would close the debate on the substantive motion or amendment.

(5) Subject to sub-clauses (6) and (7) the carrying of a procedural motion which closes debate on a substantive motion or an amendment to the motion, and forces a decision on the substantive motion or amendment, does not deny the right of reply to the mover of the substantive motion.

(6) The motion “that the Meeting proceed to the next item of business”, if carried, has the effect that:
   (a) the debate on the substantive motion or amendment ceases immediately;
   (b) no decision is made on the substantive motion;
   (c) The Meeting moves to the next item of business; and
   (d) there is no requirement for the matter to be raised again for consideration.

(7) A motion “that the item be adjourned”:
   (a) is to state a time and date to which the debate is to be adjourned; and
   (b) if carried, has the effect that all debate on the substantive motion or amendment ceases immediately, but continues at the time and date stated in the motion.

(8) A Member is not to move or second more than one motion “that the Meeting be adjourned” during the same Meeting, but if a Member’s motion that “the Meeting be adjourned” is carried, the Meeting is adjourned to a time and date specified by the Presiding Member.

(9) A Meeting adjourned under sub-clause (8) is to continue from the point at which it was adjourned, unless the Presiding Member determines otherwise.

(10) If a motion "that the motion be now put":
   (a) is carried during debate of a substantive motion or an amendment, the Presiding Member is to put the motion or amendment to the vote without further debate; or
   (b) is lost, debate is to continue.

(11) If the motion “that the Member be no longer heard” is carried, the speaker against whom the motion has been moved cannot speak further on the current substantive motion, or any amendment relating to it, except to exercise the right of reply if they are the mover of the substantive motion.

(12) If the motion “that the ruling of the Presiding Member be disagreed with” is carried, that ruling is to have no effect and the Meeting is to proceed accordingly.

7.1 Method of taking vote

In taking the vote on any motion or amendment the Presiding Member:

   (a) is to ask for a show of hands, first in the affirmative, and then in the negative;
   (b) may ask for a show of hands as often as may be necessary to enable him or her to determine whether the affirmative or the negative has the majority of votes;
   (c) is to count and determine the votes of Members in any way that enables a record of Members’ votes;

   (d) the result of the vote is to be determined on the count of raised hands; and
   (e) is, subject to this clause, to declare the result including the names of those Members who voted in the minority.

7.2 Confirmation of minutes

(1) The CEO is to distribute to each Member:
   (a) The unconfirmed minutes of each Council Meeting within 14 days after the Meeting; and
   (b) The unconfirmed minutes of a Committee Meeting within seven days after the Meeting.

(2) When minutes of an ordinary Meeting of Council are distributed and a Member is dissatisfied with the accuracy of those unconfirmed minutes, the Member shall provide the CEO with a written copy of alternative wording to amend the minutes no later than ten days before the next ordinary Meeting of Council.

(3) At the next ordinary Meeting of Council, any Member who provided alternative wording to amend the minutes shall, at the time for confirmation of minutes –
   (a) state the item or items with which they are dissatisfied; and
   (b) propose a motion clearly outlining the alternative wording to amend the minutes.

(4) Members must not discuss items of business contained in the minutes, other than discussion as to their accuracy as a record of Meetings.

7.3 Meeting may be adjourned

Any Meeting may be adjourned:

(a) to a later time on the same day; or

(b) to any other time on any other day, including a time which coincides with the conclusion of another Meeting or event.

7.4 Effect of adjournment

Where any matter, motion, debate or Meeting is adjourned under these Meeting Procedures:

(a) the names of Members who have spoken on the matter prior to the adjournment are to be recorded in the minutes;

(b) debate is to be resumed at the next Meeting at the point where it was interrupted; and

(c) the provisions of clause 6.8 [speaking twice] apply when the debate is resumed.

PART 8 - LIMITATIONS ON POWERS TO REVOKE OR CHANGE DECISIONS

8.1 Implementing a Decision

(1) Council is not to consider a motion to revoke a decision of Council:

(a) where, at the time the motion is moved or notice is given, action has been taken under sub-clause (2) to implement the decision; and

(b) unless a statement of impact has been provided by the CEO to Council, of the legal, financial and other risks and consequences of the proposed revocation; or

(c) where the decision is procedural in its form or effect.

(2) In this Part 8:

(a) "action" includes the issuing of a licence, permit, approval or other means of authorising a person to do anything;

(b) "implement" any decision includes:

(i) communicating notice of the decision to a person affected by, or with an interest in, the decision; or

(ii) taking any other action to give effect to the decision.

(3) Council may, by resolution carried at the same Meeting at which a decision was made, direct the CEO to delay implementing the decision until a certain date and time.

(4) A decision made at a Meeting is not to be implemented by the CEO:

(a) if, before implementing the decision, the CEO is given a valid notice of a revocation motion; or

(b) the revocation motion has been determined by Council.

8.2 Suspension of Local Laws

(1) A Member may at any time during a Meeting move that the operation of one or more of these Meeting Procedures be suspended.

(2) A Member moving a motion under sub-clause (1) is to state the reason for the motion but no other discussion is to take place.

(3) A motion under sub-clause (1) which if carried by an absolute majority, suspends the operation of clauses of these Meeting Procedures to which the motion relates, for the duration of the Meeting, unless Council or the Committee earlier resolves otherwise.

8.3 Where Local Laws do not apply or are silent

(1) In situations where:

(a) clauses of these Meeting Procedures have been suspended;

(b) a matter is not regulated by the Act, its Regulations or these Meeting Procedures;

(c) these Meeting Procedures are silent as to procedure;

the Presiding Member is to decide questions relating to the conduct of a Meeting.

(2) The decision of the Presiding Member under sub-clause (1) is final.

8.4 Establishment of Committees

(1) A Council resolution to establish a Committee under section 5.8 of the Act is to include:

(a) the terms of reference of the Committee;

(b) the names or titles of Council Members and City officers to be appointed to the Committee;

(c) the names and titles of other persons to be appointed to the Committee or an explanation of the procedure to be followed to determine the appointment of such other persons; and

(d) details of the delegation of any powers or duties to the Committee under section 5.16 of the Act.

(2) These Meeting Procedures are to apply to the conduct of Committee Meetings.

8.5 Electronic endorsement of Committee minutes

Where a Committee is unlikely to meet for two months or more since the date of the last Committee Meeting:

(a) the confirmation of the minutes of that Committee Meeting may be done by electronic means, sending an electronic copy of the draft minutes to all Members; and

(b) Members may reply by electronic means; and

(c) if the majority of Members reply in the affirmative for endorsement,

the Minutes will be accepted as confirmed.

8.6 Committees to report

A Committee is to report on its activities when, and to the extent, required by Council.

PART 9 – PENALTY FOR BREACH

A person who breaches a provision of these Meeting Procedures commits an offence for which the penalty is $5,000.00, and a daily penalty of $500.00 if the offence continues.

Dated: _____

The Common Seal of the City of Albany
was affixed by the authority of the
resolution of Council in the presence of:

[*INSERT NAME OF MAYOR]*	[*INSERT NAME OF CEO*]
Mayor	**Chief Executive Officer**

1.6: ENDORSEMENT OF VARIOUS COUNCIL POLICIES

Responsible Officer : Chief Executive Officer (F James)
Attachment :

THE PAPER FOR THIS AGENDA ITEM IS AWAITING THE OUTCOME OF DISCUSSION AT THE ELECTED MEMBER WORKSHOP TO BE HELD ON TUESDAY 27 SEPTEMBER 2011.

THE PAPER WILL BE INCLUDED IN THE MEETING FINAL PAPERS FOR THE OCTOBER 2011 OCM.

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Author: Executive Manager Business Governance
File Ref: CM.STD.7 | Synergy Ref: NP098613_4
Version: 30/09/11

Council Policy & Procedures – Elected Member Communications

1. Policy Statement

(1) No elected member other than the Mayor, is to speak with the media on behalf of Council without the consent of the Mayor.

(2) If elected members do speak with the media they shall represent the view of Council and shall not express a personal point of view for the purpose of gaining personal or election advantage.

(3) The City of Albany has established formal communication protocols and procedures. Elected members are encouraged to utilise those protocols and procedures to support the City of Albany in its administration.

(4) In all public oral and written statements (including media) elected members should:

(a) Respect the decision making processes and decisions of Council;

(b) Accurately convey information concerning decisions of Council;

(c) Clarify whether or not they are representing Council or presenting a personal viewpoint as a private citizen;

(d) Take care when expressing personal views to show respect for Council;

(e) Avoid criticism of individuals in a way that reflects on those individuals' competence or integrity, and which may give rise to a City of Albany liability;

(f) Ensure they do not commit Council or the City of Albany to a course of action or expenditure of City resources, including staff time, without the prior endorsement of Council.

2. Scope

Elected members of Council.

3. Legislation Relating to This Policy

The *Local Government Act 1995* which is also complemented by guidelines and handbooks produced by the Department of Local Government (WA).

- *State Records Act 2000 (WA)*
- *Privacy Act 1988 (C'th)*
- *Freedom of Information Act 1992 (WA)*

4. Review

The Chief Executive Officer is to review the policy on or before 1 October 2013.

5. Procedures

(1) **Categorisation of Correspondence.** The processing of the following categories of communications is dealt with as follows:

(a) **Category One.** Correspondence from Government Ministers and other members of Parliament:

(i) copy to Mayor for information

(ii) copy to CEO

(iii) Mayoral Liaison Officer, working with the Chief Executive Officer to draft reply for Mayor for signature.

(b) **Category Two.** Correspondence from the general public in relation to Council business:

(i) copy to Mayor for information

(ii) copy to particular named councillors for information

(iii) copy to Chief Executive Officer if relating to City of Albany business

(iv) Mayoral Liaison Officer, working with the Chief Executive Officer to draft reply for Mayor for signature.

(2) **Use of mayor Letterhead.** Mayoral letterhead is to be used only by the Mayor, in their official capacity.

(3) **Relations with the Public and the Media.** The Act recognises the role of the Mayor as the principal spokesperson of the Council.

Version Control

Version	Date	Status	Distribution	Comment
01	16/09/09	Adopted	Internal/External	OCM Item 14.2.1
02	20/07/10	Revised	Internal/External	OCM Item 16.4.2
03	27/09/11	Revised	Internal/External	Audit Committee Elected Member Workshop

Council Guideline

Elected Member Induction Manual

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Version: 30/09/11
Author: Executive Manager Business Governance
File Ref: CM.STD.4 | Synergy Ref: NG1013577_6

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Dear Elected Member,

This manual has been specifically compiled for the benefit of elected members for the City of Albany. Your suggestions for improvements to this manual will be welcomed.

I hope your experience as a member of the Council is everything you hope it will be.

Chief Executive Officer

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INTRODUCTION

Welcome to the City of Albany Local Government. By standing for and being elected to the City of Albany Council you have committed to making a difference to our community and having your say on behalf of your constituents in local government decision making.

LEGISLATIVE AND LEGAL MATTERS

Local Government Act 1995 and Regulations

The *Local Government Act 1995* (the Act) is the principal legislation which guides elected members and staff conduct and performance in their roles as officers of a local government.

A full copy of the Local Government Act and its Regulations can be sourced from: http://www.slp.wa.gov.au/

Elected members found to be in breach of the Act or its Regulations may face penalties ranging from public censure and providing a public apology, through to an order to undertake training, or prison and monetary fines.

Code of Conduct

Council's Code of Conduct for elected members, as required by Section 5.103 of the Act provides guidance of the acceptable standard of professional conduct of elected members.

All elected members are required to sign a copy of the Code of Conduct and provide that to the Chief Executive Officer.

- Code of Conduct 2011

The Code of Conduct supplements the *Local Government (Rules of Conduct) Regulations 2007*.

Role of Council

Under the Act the role of Council is focused on decision making. In its decision making role, Council is responsible for setting Council policy and strategic direction, actively shaping the community and ensuring the Chief Executive Officer is effectively "running" the City through good stewardship of assets, transparent arrangements and in line with legislative obligations. Council also has a duty to monitor and evaluate the effectiveness of such policies and the performance of the Chief Executive Officer in implementing policies.

Role of individual elected members

The role of Mayor or councillor involves a commitment to constituents to achieve effective local government which improves the City of Albany community.

An elected member who wishes to have a particular matter addressed must raise the matter at a Council meeting in an attempt to obtain a Council decision to reallocate resources or rearrange priorities to achieve the required result. If the proposal does not have the support of the Council then the elected member has to accept the majority view.

Sections 2.8 of the Act explains the role of the Mayor and section 2.10, that of other elected members.

Leadership of the Mayor
While the Act sets out the role of the Mayor, it is for the Mayor to determine how they believe they best perform that role.

City of Albany elected members have previously expressed a view that they seek the following attributes of leadership in the Mayor:

- Communicating with individual councillors on a regular basis.
- Unifying the Council and motivating councillors.
- Fairly and firmly controlling the debate at meetings.
- A strong political voice for Albany in dealing with other levels of government.
- A strong voice in promoting Albany tourism and businesses, including promoting business investment.
- Speaking positively on behalf of Council.

Role of Chief Executive Officer
The Chief Executive Officer is responsible for implementing Council decisions. The Chief Executive Officer has delegated powers and responsibilities to do this. The specific delegations are detailed in the Delegations Register. For effective governance the Chief Executive Officer must be able to partner with elected members in a very real and productive manner. The role and functions of the Chief Executive Officer are set out in the Act.

The appointment of other officers is the responsibility of the Chief Executive Officer. While the local government is responsible for appointing the Chief Executive Officer, the Chief Executive Officer has responsibility ensuring all other employees are suitably experienced and qualified for their position. The Chief Executive Officer, in appointing officers must act within allocated resources as resolved by Council.

While the Chief Executive Officer is responsible for implementing the City's strategic and operational plans and reporting to Council, the Council has the ability to call for a report on a particular matter to be provided to it.

In fulfilling their responsibilities, the Chief Executive Officer should act "without fear of favour" offering advice and guidance to Council and individual elected members that is impartial and "apolitical".

With that said, with regard to State and Federal politics an effective Chief Executive Officer keeps an eye on the political environment. A Chief Executive Officer's awareness of those political environments serves to strengthen Council's ability to leverage State or Federal matters that affects the local government.

Delegations
An element of decision making by local governments dealt with under the Act is the power of delegation. Under section 5.42 of the Act a local government can delegate (with certain exceptions) its powers to the Chief Executive Officer. That power may not be delegated to an individual elected member except in his or her capacity as a committee member.

A decision made pursuant to a delegation has the same force and effect as one made by the person or body that granted delegation.

Once power is delegated to the Chief Executive Officer, it is then a matter for the Chief Executive Officer to exercise power under section 5.44 of the Act to further delegate powers if they wish to other officers.

The Act requires all delegations to be in writing. In addition to this, sections 5.46 specifies that all delegations made by a local government and the Chief Executive Officer must be recorded in a register of delegations which is open to public inspection.

Section 5.43 of the Act stipulates what a Council cannot delegate to a Chief Executive Officer. This includes:

- Any power or duty that requires a decision of an absolute majority or special majority of the Council.
- Accepting a tender which exceeds an amount determined by Council. (For City of Albany that is $250 000)
- Any powers determining fees, expenses and allowances for elected members or committee members.
- Borrowing money on behalf of the City of Albany.

Financial Interest Returns
Your attention is drawn to Division 6 – Disclosure of Financial Interests – of the Act. A Financial Interests Handbook can be sourced from the Department of Local Government's website: www.dlg.wa.gov.au.

Under law you are required to submit a Primary and Annual Returns. The Primary Return will be circulated to all elected members immediately after the election and you are required to complete this form and return it to the Chief Executive Officer as soon as possible.

You are also required to update this information in an Annual Return each year during your term of office. A copy of the form will be supplied to you for completion at the appropriate time.

"Factions" on Council
As the report of the 1997 Royal Commission into the City of Wanneroo stated:

> *" if members of any group of councillors vote with a collective will rather than individually bring their judgement to bear on the issues before them in the interests of the community then their conduct was improper...**the proper role of every councillor (is) to take a strong stance on issues of importance in accordance with the actual merits of the matter. Action taken or an attitude adopted for no better reason than to destabilise an opposing faction**, however, unworthy that faction may be, **is inappropriate conduct and not part of the proper role of a councillor**."*

The Royal Commissioner also said:

> *"one of the many drawbacks of factional divisions on Council (is) the tendency towards petty back-biting conduct which destabilises a council and brings it into disrepute".* (Bold emphasis is applied by the City of Albany).

Obligations at Law
As an elected member you have both legislative and general obligations at law.

All local governments operate within the context of Australia's legal system. There are two main sources of law in the Australian legal system, being legislation (statute law) and common law.

Electronic technology provides an extremely efficient tool to quickly gain some understanding of the breadth of issues covered by legislation and common law. Access State Government legislation at www.slp.wa.gov.au or Austlii http://www.austlii.edu.au.

Statute law is law made by Parliament. It includes primary legislation, made by Parliament itself and subsidiary legislation, made by those with delegated authority by Parliament to make subsidiary legislation. While the Act is important primary legislation affecting local governments, there are many other Acts which confer powers and impose obligations on local governments. This is an area of law which is constantly changing.

Subsidiary legislation includes Regulations (such as the *Local Government (Financial Management) Regulations 1996)*, proclamations made by the Governor in Council, other statutory instruments made by Ministers, and local laws made by local governments. Subsidiary legislation provides more detail to enable Acts to be implemented.

Common law is law made by the courts. It originated in England and is based on established customs and "case law" over many years. It includes areas of law that have an impact on the day-to-day operation of local governments, such as property and contract law, industrial relations law, commercial law, the law of negligence and administrative law which deals with the rules of law governing the operation of government.

With regard to contract law, in addition to common law the Act deals with the procedures to be followed by local governments when entering into contracts. Local government contracting is also governed by the other State and Commonwealth Legislation (such as the *Fair Trading Act 1997 (WA)* and the *Trade Practices Act 1974 (C'th))*.

The local government is a body corporate (section 2.5(2)), consisting of a mayor, or president and other councillors (section 2.6).

As a body corporate, the general position is that a contract entered into by the Council does not bind any Council member or officer personally, and that acts or omissions of the Council may impose liability on the corporate body but not on members or officers personally. There are, however, some situations in which members or officers could have personal liability, where their own action is the direct cause of loss or injury, or if they go beyond what is authorised by the Act or beyond the scope of authority which has been delegated to them.

As a body corporate, the only way a local government can operate is by decisions of its members collectively at a legally convened meeting, or delegated authority provided to the Chief Executive Officer. This means all elected members collectively share executive power and it is only when they come together as a Council and make decisions that they become a corporate entity and gain this power.

Two of the most important administrative law reforms in Western Australia are the *Freedom of Information Act 1992* and the *State Administrative Tribunal Act 2004*. The Freedom of Information Act provides individuals with the right of access to government information. The State Administrative Tribunal Act establishes a comprehensive system for the review of administrative decisions making by State agencies and local governments in Western Australia.

Civil law includes negligence and defamation. An unfounded allegation which damages the reputation of another person made by an elected member may be defamatory. Most defamation actions are conducted as civil proceedings in which an awarded of damages is sought as compensation. However, section 345(1) of the Criminal Code of Western Australia establishes an offence of criminal defamation. Section 345 states:

> *(1) A person who, without lawful excuse, publishes matter defamatory of another living person (the victim) —*
> *(a) knowing the matter to be false or without having regard to whether the matter is true or false; and*
> *(b) intending to cause serious harm to the victim or any other person or without having regard to whether such harm is caused, is guilty of a crime and is liable to imprisonment for 3 years.*
>
> *Summary conviction penalty: imprisonment for 12 months and a fine of $12 000.*

(For defamation purposes, "publishes" simply means to communicate to another person.)

In respect of the above it is necessary to understand that an allegation made by an elected member because they believe it to be true and in the public interest may not protect the member from legal action. An allegation is a very serious matter and will only be considered "true" when the proper investigating authority, or a court, makes a finding to that effect. If an elected member has evidence of improper conduct by another person (such as dishonesty or corruption), their responsibility is to report the matter to the Corruption and Crime Commission, not to make any allegation about the matter in the absence of a investigative findings by the appropriate authoritive body.

Other actions which may be unlawful may also be investigated by the Corruption and Crime Commission. Under the *Corruption and Crime Commission Act* "misconduct' occurs where a public officer whilst acting or purporting to act in his or her official capacity, commits an offence punishable by two or more years' imprisonment...".

Public Interest Disclosure Act 2003
This Act facilitates the disclosure of public interest information, to provide protection for those who make disclosures and for those the subject of disclosure. The definition of "Public Authority" includes a local government.

Public interest disclosure means information in relation to the performance of a public function, a public authority, officer, or public sector contractor that is, has been, or proposes to be, involved in:

- Improper conduct;
- A substantial unauthorised, irregular use of, or substantial mismanagement of, public resources;
- An act or omission that involves a substantial and special risk, such as:
  - Injury to public health;
  - Prejudice to public safety; or
  - Harm to the environment.

For the purposes of the *Public Interest Disclosures Act 2003*, an elected member is a "public officer".

Local Laws
A local law is a law adopted by a local government for the good government of the area. Through local law, a local government can permit or licence activities it wants to regulate, create offences for unacceptable behaviour and allow for the issue of compliance or abatement notices.

In Western Australia proposed local laws must be first agreed to by the Department of Local Government and then submitted to the State Parliament's Joint Standing Committee on Delegated Legislation. The Joint Standing Committee has responsibility to scrutinise the local law. Scrutiny by the Joint Standing Committee and disallowance of the local law by the State are accountability mechanisms to guard against the passing of local laws that are unlawful.

The Act sets out a uniform procedure to apply throughout the State in the making of local laws. While the procedure is the same State wide, the onus is on each local government to make local laws which suit its local needs.

Among the major principals underlying the local law making process are that the process:

- Is consistent with an effective, efficient and accountable local government system;
- Is consistent with state and federal laws;
- Has clear objectives, is quality driven, maintains the confidence of the public and has appropriate mechanisms in place for achieving the objectives.

As local law created by a local government has the force of law. The local government can enforce those local laws in the courts and can prosecute for a breach of them.

National Competition Policy (NCP)
The introduction of National Competition Policy (NCP) has had a major impact on local government. NCP resulted from the findings and recommendations of the National Competition Policy review (the 'Hilmer Report'), which investigated ways to remove barriers to competition within Australia.

NCP involves the concepts of competitive neutrality, full cost pricing and commercialisation; and the requirement that government businesses identify any anti-competitive practices. The theory is that some government businesses would be conducted more efficiently if they were subject to the competitive pressures of the private sector or, alternately, that the prices being charged within these operations are distorted in the sense that they contain hidden subsidies or surcharges as compared to the prices which would be charged if the services were provided by the private sector. The NCP requires local government business activities to be on a commercial footing and competitively neutral.

Insurance
To ensure they have the benefit of insurance cover, elected members have a duty to act prudently while performing duties connected with or on behalf of the Council.

The Mayor and elected members and their spouse/partner are covered by personal accident insurance whilst engaged in any activity directly or indirectly connected with or on behalf of the Council, including whilst travelling directly to and from such activity. Elected members engaged in any Council activity are also generally covered by insurance against liability to pay civil damages, claimants' legal costs and the costs incurred in defending a claim.

An insurance contract is one of "utmost good faith". That is, both parties are required to perform the contract in good faith with the requirement that the insured will make formal disclosure of all matters relevant to the insurer's consideration of whether to accept or continue with the risk. Failure to provide appropriate disclosure could lead to the insurer declining to indemnify the insured completely, or a reduced amount. The duty to disclose arises before the contract is entered, as well as when the contract is renewed, extended or varied.

If there is a reasonable possibility of a claim notice, must be given by the Chief Executive Officer to the insurer as soon as practicable, and before expiry of the policy period. Delay in providing that notice containing all relevant facts could result it the claim being denied.

Media Comment
Under the provisions of the Act, the Mayor is the spokesperson to the media on Council matters. Individual elected members are not permitted to speak about or on behalf of Council.

Access to Information
Elected members may access certain documents beyond that which the general public can access, including the right to inspect any Council document dealing with Council business, providing it is relevant to a matter being discussed by Council.

The member who obtains such information is not to use the information for their own interests, unconnected with Council activities, or to the detriment of Council. In deciding what is proper and reasonable access, a legal opinion on this issue states:

"The Council has a right to determine for itself what documents and correspondence a Councillor is entitled to inspect. In the absence however of such a decision, whether such a right exists, is properly determined by the Councillor's need to know the information contained in the correspondence or document.

Whilst there are no Australian court decisions directly on this point, the position in England is quite clear. The appropriate test has been dubbed the "need to know" test, which was examined by the House of Lords in R v Birmingham City District Council 1983 1 All ER 497 where it was held that:

A Councillor was entitled to have access to documents that were relevant to a particular committee of which he was a member provided that he had a good reason for such access; and

A Councillor has no automatic right of access to documents of a committee of which he is not a member but could gain access to that information if he established that the information sought was needed by him to enable him to properly discharge his duties as a Councillor.

The Chief Executive Officer must ensure that in granting elected members access to information there is compliance with the law, including State and Federal Privacy laws. This requires the Chief Executive Officer to ascertain why the elected member is seeking access, the precise nature of the request and the particular information sought, together with any required consents from individuals the subject of the information being requested.

If the request establishes motivation outside the general guideline of assisting the member in the proper discharge of their responsibilities, or is otherwise unlawful, the Chief Executive Officer is entitled to refuse such a request.

Confidential Information, including Legal Opinions and Advice
The City of Albany routinely has a need to obtain legal advice or opinion. It is often the case that to protect the City's legal professional privilege, the advice or even extracts from it, should not be in the public arena or be made the subject of public debate. Examples of such advices would include advice with respect to defamation, allegations of criminal activity, possible litigation against or by the City, or negotiations on commercial or contractual matters. In these circumstances, public circulation of the advice or other information could jeopardise and be prejudicial to action that the City takes.

Council Policies
Policies are reviewed every four years or earlier if required. Council policies can be downloaded from the City's website: http://www.albany.wa.gov.au/az-quickfind/policies-database

DAY TO DAY COUNCILLOR MATTERS

Absence from Council Meetings

If the Mayor or an elected member is to be absent from an Ordinary Council Meeting, he/she should apply for leave of absence at an Ordinary Council Meeting prior to the one for which leave of absence is sought.

Access to the City's North Road Office and Councillors' Workstation

Normal office hours of the City's administration centre is 9:00am–5:00pm Monday to Friday. It is suggested for your own convenience, and as a matter of courtesy, that if you wish to meet with the Chief Executive Officer or the Chief Executive Officer's delegate, you telephone beforehand and make an appointment to ensure the particular officer is available.

Elected members access the North Road Office via the Councillors' Workstation. Elected members will be issued with a security disk, which will permit unlimited access to that workstation area. To enter the building you swipe your security disc over the sensor **once** and then open the door to the Councillors' Workstation.

If accessing the Councillors' Workstation on the weekends or out of hours you will need to set the alarm system when **leaving** the building. On leaving the building, close the door of the Councillors' Workstation; scan your disk over the sensor **three** times. A red light will appear to confirm the alarm is on. Please be careful **entering** the building - if you scan your disk three times or more you will be given access but the alarm will go off, which will activate a security callout. If you are on the inside of the building and you are not sure if the alarm is still on, check the display panel as red indicator lights will be glowing if the alarm is activated. Please contact the Mayoral Liaison Officer if you would like further clarification regarding access and security.

As a general courtesy to staff, please do not wander through the building to find an officer; the Mayoral Liaison Officer will phone the Chief Executive Officer or their delegate and they will meet you in the Councillors' Workstation.

Use of and access to the Mayor's office is entirely at the discretion of the Mayor.

Elected Member Fees/Allowances

Under legislation, elected members may receive fees for attendance and reimbursement for the cost of internet access, telephone calls, travel and childcare expenses.

The Mayor and Deputy Mayor receive additional allowances with the Deputy Mayor receiving 25% of the Mayor's allowance. Elected members receive their allowances on a quarterly basis in arrears. These allowances will be paid directly into your bank account.

The current budgeted allowances are shown below:

	Mayoral Sitting Fee	Mayoral Allowance	Deputy Mayoral Allowance	Council Sitting Fee	Communications Allowance	IT Allowance	Mayoral Vehicle	Per Annum
Mayor	$14 000	$42 200			$1 800	$1 000	$20 000	$65 000
Deputy Mayor			$10 550	$7 000	$1 800	$1 000		$20 300
Councillors				$7 000	$1 800	$1 000		$9 800

Communications Allowance
This allowance enables you to provide community members and City staff with an efficient way of communicating with you. It can include operating a mobile phone and email system.

The preferred method of communication is email or if urgent, phone. It is your responsibility to notify the City of Albany of the best way to communicate information to you.

Information Technology (IT) Allowance
The IT allowance is for the purchase of IT equipment and software to effectively communicate with City staff and community members.

Upon completion of a member's term the equipment purchased under the IT allowance remains the property of the member.

Reimbursement of Travel and Other Costs
Elected members can be reimbursed for travel costs associated with performing their duties such as travel to and from Council functions and meetings. These will be reimbursed according to a log of travel that elected members must keep and submit to the Mayoral Liaison Officer. The reimbursement amount is calculated on the type of vehicle and kilometres travelled.

For travel out of the City of Albany, elected members **must have receipts** for fuel, accommodation and meal expenses. Claims for meals are to be made in accordance with the Elected Member Travel Expenses Claim form.

Elected members can also claim the cost of child care in certain circumstances.

Travel log and expense claim forms can be downloaded from the City of Albany website:

- Elected Member Travel Expenses Claim Form
- Elected Member Quarterly Mileage Claim Form
- Elected Member Quarterly Child Care Expense Claim Form

Business Cards
Soon after the election, elected members will be issued with City of Albany Council business cards. These cards are provided for Council business use only. They are not to be used for electioneering or private business purposes.

Contact List
Please ensure that you provide your contact details as soon as possible to the Mayoral Liaison Officer. Your contact details will enable staff and fellow elected members to provide you with appropriate advice of upcoming activities.

City of Albany staff receive a number of requests from community members also seeking this information. It is important that we have this information available as soon as possible. Your details will also appear on the City of Albany website.

Dates for your Diary

- Australia Day Ceremony – 26 January
- Anzac Day – 25 April
- U.S. Submariners' Memorial Service – late May
- Local Government Week – August
- Christmas Pageant and Concert – early December
- New Year's Eve Concert and Fireworks – 31 December

Dress Standards
A certain standard of dress is expected for Council functions and meetings. Lounge suit standard, i.e. slacks, jacket and tie for males and equivalent for females is encouraged for meetings. Other official occasions may necessitate more formal wear and official invitations will advise of dress standards.

Entertainment of Guests
Generally the Mayor will entertain Council guests in the Mayor's office. Should elected members wish to entertain guests, specific arrangements should be made on each occasion with the Mayoral Liaison Officer. The Councillors' Workstation is available for any informal meetings.

Elected Member Diary Commitments - Ceremonies, Celebrations and Civic Functions
Elected Members are encouraged to monitor the *Weekly Councillor Diary Update* for information regarding Council meetings and civic functions including ceremonies, receptions and celebrations for the forthcoming month. An update is provided by the Mayoral Liaison Officer each Friday by email and a hard copy is placed in your workstation in box.

From time to time elected members will be invited to attend events and meetings relating to Council business, or where the presence of a councillor is sought.

If you are elected by Council as it's representative for an event or meeting, the travel and other expenses of attending will be paid in addition to your elected member budgeted allowances.

Elected Members' Information Bulletin
Members are provided with a elected members' Information Bulletin which can be found in the Councillors' Workstation. This Information Bulletin may contain additional information relating to items in Council meeting papers and other information such as communications on a particular subject between the City and another entity regarding a commercial venture.

Gifts and Memorabilia
A supply of small gifts and memorabilia bearing the City of Albany logo, can be obtained from the Mayor Liaison Officer. Please note the Mayor Liaison Officer can only issue gifts if approval is given by the Mayor or Chief Executive Officer.

Guidelines
The Department of Local Government and the Western Australia Local Government Association (WALGA) provided publications to guide elected members in the performance of their duties. You are encouraged to regularly review the Department's www.dlg.wa.gov.au and WALGA's www.walga.asn.au website in that regard.

Information management processes between elected members and staff
Under legislation, the Mayor and councillors are to direct their enquiries to the Chief Executive Officer, as the only employee of Council. If contact is requested with any other staff member, the Chief Executive Officer is to be consulted.

The Chief Executive Officer has implemented a corporate information management process for addressing elected member enquiries.

The purpose of this process is to improve responsiveness to requests, ensuring accountability, "tracking" information in the City's document management systems and alleviating duplication of staff effort and resources. A centralised approach to administering information requests also ensures that appropriate staff answer the question, contributing to informed decision-making by elected members.

If an elected member asks for information or advice directly from a City of Albany employee other than under guidelines made by the Chief Executive Officer, employees have been advised to notify the Chief Executive Officer about the request as soon as practicable.

The Chief Executive Officer also has to ensure that requests for information or advice from individual elected members versus Council (as a whole) do not significantly disrupt City of Albany work priorities.

Appointments with relevant City of Albany staff can be arranged through the Mayoral Liaison Officer or the Councillor Liaison Officer.

Induction and training
Soon after the election, and periodically over the period of your term, the Chief Executive Officer will facilitate induction and ongoing education for elected members. While attendance is not mandatory, it is encouraged. Attendance also assists in building a strong Council team, both as a governance body and as a "social" team.

There are also a number of external training courses available for elected members. Please liaise with the Mayor Liaison Officer if you wish to attend this training. For example, the Western Australian Local Government Association (WALGA) runs a series of training programs specifically designed for elected members.

All elected members are allocated an annual training and development budget. You may use that budget for such training. Any amount over that allocation would have to be paid by you personally.

Mail and other Corporate documents
Any mail addressed to the Mayor and elected members will be registered on the City's corporate records system. The only exception is mail addressed with the caveat *"Personal For" "Private" or "Confidential".*

Under the City's information and knowledge management systems, elected members are required to provide significant records for registration in the City's corporate records management system.

If you receive mail that requires an official reply regarding the administration of the City it should be handed to the Chief Executive Officer (or Mayoral Liaison Officer) for action (in which case it will be registered on the City's corporate records system). The Chief Executive Officer will reply to the correspondence, but specific reference will be made in the reply to the fact that the letter was provided to the City by you.

Name Badges
Name badges are provided for elected members and their spouse/partner. Badges are ordered immediately following the election and are usually available within two weeks. Temporary name badges will be available to wear until your permanent badge (carrying the City of Albany logo) is available.

Your name badge will carry the name you specified for use on the ballot papers. However, if you wish a different form of your name to be used, please advise the Mayoral Liaison Officer as soon as possible as badges will be ordered very soon after the election. Please also contact the Mayoral Liaison Officer immediately if you lose your badge and need a replacement.

Parking
Elected members are encouraged to park at the rear of the North Road Office for Civic Events and Council meetings, to ensure the maximum number of car parking bays is available for use by the public at the front of the building.

Requests for City Services
Elected members will, from time to time, receive requests from residents for some particular matter to be dealt with (for example: a street tree to be pruned, increasing the temperature of the pool water, installing particular audio equipment in the library, a pothole, or foot path repaired, additional City support to particular community groups, increased opening hours at rural refuse sites, or a street sign replaced).

Please contact the Council Liaison Officer who will organise a customer service request or raise the matter with the Chief Executive Officer, on your behalf. If the request is of a more significant, complicated or involved nature, then it can be raised directly with the Chief Executive Officer.

The Chief Executive Officer is always available to give the Mayor and elected members advice on how a matter could be dealt with.

Seating Arrangements in Chamber
For Ordinary and Special Council meetings, the elected members will be seated at the main table in the Council Chambers. The Chief Executive Officer will allocate a position for all members regarding seating position.

Smoking
Smoking is generally **prohibited in all City of Albany buildings and grounds**. This includes almost the entire grounds of the North Road Office, except a small area at the rear of the Council chamber which has been designated as a smoking area.

If you use this smoking area please ensure you do not deposit cigarette butts on the ground, but dispose of them correctly.

Sister City/Friendship Agreements
The City maintains a small number of active civic relationships based upon benefits that may accrue to the City, including trade, tourism, cultural, educational and sporting activities.

The City has four active affiliations to which it is a signatory, being:

- **Nichinan (Japan)** - A "Synergetic & Friendship Agreements" based on the export of blue gum plantation woodchips was signed in 1998. The City of Albany, Albany Port Authority and Albany Chamber of Commerce and Industry are joint signatories to this agreement. In 2010, in recognition of the ongoing important economic and cultural affiliation and exchanges the Synergetic agreement was complimented by a Friendship Agreement.

- **Tomioka (Japan)** – A "Friendship Agreement" based on a strong and continuing school student exchange program was signed in Albany on 1 February 2001 with a reciprocal signing ceremony in Tomioka in 2004.

- **Gallipoli (Turkey)** – A "Friendship Agreement" based on Albany"s ANZAC military heritage was signed in Albany on 25 April 2003 and reciprocated in Gallipoli on 25 April 2005.

- **Peronne (France**) - A "Friendship Agreement" based on Albany"s ANZAC military heritage was signed in Peronne on 1 November 2008.

Publications and Newsletters
Various publications will be provided to elected members from time to time. You may elect to have these forwarded via email to save paper consumption. Please let the Mayoral Liaison Officer if you prefer to receive hard or electronic copy.

Use of Telephones, Secretarial Facilities etc.
A small business centre in the Councillors' Workstation is available for use by elected members to undertake Council business. This includes a telephone, computer with internet access, print and copy facilities.

The Mayoral Liaison Officer also provides some secretarial service and assistance in respect of travel and accommodation arrangements or other simple administrative duties if you attend other meetings as a representative of Council.

Use of and Access to Refreshments
Refreshments are provided at appropriate times either before or after Council meetings and events. It is often a case of "self-service" under a system of trust. Unless consumption of refreshments is associated with normal Council Meetings or functions, it is standard practice to seek approval of the Mayor (or if they are not available, the Chief Executive Officer) to consume these items.

Consumption of alcohol immediately before Council or other meetings is strongly discouraged. Consumption of all food and drinks (except water), including alcohol during Council meetings is also discouraged.

CITY OF ALBANY

History
The City of Albany was proclaimed by the Minister for Local Government, Hon. Paul D. Omodei MLA on 1 July 1998, following amalgamation of the former Town and Shire of Albany.

On 18 March 2003, the City of Albany adopted an Aboriginal Accord which recognises the role that the City plays in the provision of services and facilities for the Aboriginal community.

The Albany region was first home to the Minang Noongar people, who made use of the area during the summer months for fishing and other activities. They called the area Kinjarling which means "the place of rain".

Also known as the “Anzac City”, Albany was the last contact with Australia for the original Anzacs departing for Egypt in November 1914 en route to Gallipoli.

From 1893 to 1956, Albany supported an army gun battery at the Princess Royal Fortress, and during WWII, American submarines used Albany as a base while conducting sweeps for Japanese submarines.

The Navy’s HMAS Anzac & Training Ship Vancouver Naval Cadets, the Army’s 11th/28th Battalion and the RAAF’s No. 2 Flight Training School hold Freedom of Entry rights to the City of Albany.

Albany’s “Adopted” Ship – HMAS ANZAC. The HMAS Anzac was adopted by the former Town of Albany following her commissioning on 18 May, 1996.

Albany’s own Ship – HMAS ALBANY. The HMAS Albany was adopted by the City of Albany following her commissioning on 15 of July 2006.

Strategic Plan
The City of Albany’s Strategic Plan was adopted by Council on 16 August 2011 as the principle strategic guide for the future. Strategic Plan (2011 – 2021)

Annual Report
The City of Albany is required to produce an annual report each year and this must contain a copy of the audited accounts. The City’s financial statements are audited in the first quarter of each financial year and the annual report is presented to Council as soon as practicable after the audit conclusion. Electronic copies of annual reports are available to the general public on the City of Albany website. http://www.albany.wa.gov.au

City of Albany Organisational Structure Chart
A copy of the Organisational Chart is attached (appendix A).

Risk Management
Council through the Chief Executive Officer must deliver strategies to effectively recognise and support its accountability to stakeholders and minimise exposure to risk. Risk management plays a key part in this.

The City of Albany is committed to effective risk management practices. Elected members have a duty to minimise the risks that they expose the Council and City to, by adhering to the risk management principles of the City of Albany (appendix B) .

While many local government risks relate to financial risks, other types of risk could have financial implications. This includes:

- Environmental risk including that set out under the *Environmental Protection Act 1986,* which creates obligations as both a regulator and as operator.

- Risk under the *Occupational Safety and Health Act 1984.*

- Risk management and the *Emergency Management Act 2005*.

Elected members are responsible for setting the Council's level of risk tolerance so that the organisation can focus resources to manage risk. Risk management should be seen as a positive preventative strategy.

Finance and Budgeting
The annual budget is prepared based on priorities identified by Council. The annual budget can be sourced from: http://www.albany.wa.gov.au/download/2614.

Corporate Identity
The City of Albany has three main and eight sub brands/trademarks representing business units and activities. The logos are visual communication devices representing what the City does and communicates to target audiences.

Use of the below brands are monitored, authorised and approved by the City of Albany. **Permissions are required to use all graphics** as they are protected by trademark for the City of Albany use.

The Crest is restricted to City of Albany use only. The City of Albany logo (A+) is available to the public via the City of Albany website. Users are required to complete a registration form detailing the reasons for use.

City of Albany Crest (not to be used by any party other than the City of Albany)

The crest (as above) was adopted at the Council meeting of 17 October 2006. The crest recognises Albany's significant maritime, military and heritage links and is used primarily for the following purposes:

- Council Chamber Signage
- Certificates of Authenticity
- Local Laws
- Mayoral Documents
- Council Chamber Material
- Selective Signage – Memorial
- Council (versus City of Albany) Literature/Documents

City of Albany Logo

The City of Albany corporate logo was adopted by Council in 2004. It is the City of Albany core communication device and must be used as a co-brand by City of Albany business units. The meaning behind the City of Albany logo is:

- The letter “A” is for Albany and is easily understood.
- The letter “A” is also shorthand for perfect (ie an “A” pass in an exam).
- This translates into A plus or “A+” – in other words, the absolute best.
- When the A+ is underlined, we see a symbolised Brig Amity Ship, a uniquely friendly image, representative of our past, present and future.
- The total graphic represents the ship and its sails as it moves ahead.

The logo is used primarily for the following purposes:

- City of Albany Assets
- City of Albany Services
- Vehicle Branding
- Staff Material
- City of Albany documents and stationary
- Event sponsorship
- Major City Projects

Amazing Albany brands

The amazingalbany brands were developed for the City of Albany Tourism and are used purely for the promotion of Albany as a tourism destination. The brands reflect Albany’s key tourist attractions – bays, oceans, land and whales.

The brands refer to the state or the region. Selection of the correct version will depend on the target audience of the promotion.

The brands are used primarily for:

- Tourism documents and marketing materials
- Tourism Trade Show material
- Visitor Centre
- Tourism related stationery

Certain applications the amazingalbany brand may be used jointly with the City of Albany Logo.

Use by the City and other organisations is restricted to those which are directly promoting Albany as a tourist destination – i.e. tourism partners, bodies and tourism media partners.

Its use does not relate to any Council assets with the exception of the Airport and Visitor Centre.

Amazing Albany business unit – sub brands

albanyregionalairport western australia

albanyvisitorcentre western australia

amazingalbany www.amazingalbany.com

Other Business unit logos

The following logos represent each business unit and when used for marketing or advertising are co-branded with the City of Albany brand.

PRINCESS ROYAL FORTRESS Military Museum	Vancouver Arts	Albany Regional Day Care
LEISURE+ AQUATIC CENTRE fun fitness family	e albany public library enrich evolve escape explore entertain educate educate escape evolve	

Appendices:

A. Organisational Staff Structure
B. Risk Management Framework

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Author: Executive Manager Business Governance
File Ref: CM.STD.7 | Synergy Ref: NP1119988
Version: 30/09/11

Council Policy & Procedure – Handling of Complaints By or Against Elected Members

1. Policy Statement

(1) This policy sets out the processes to address certain complaints made by or against an elected member of Council.

(2) The City of Albany has adopted a Code of Conduct for elected members of Council. In adopting this policy, elected members made a public declaration of the conduct and standards of behaviour that the members of the City of Albany Council have agreed to demonstrate.

Behaviour Contrary to the Code of Conduct

(3) The Council is committed to investigating and where appropriate addressing any complaints made against elected members including compliance with any statutory requirements of the *Local Government Act 1995*, *Local Government (Rules of Conduct) Regulations 2007* or any other relevant Act or Regulation applicable to elected members in the performance of their role and responsibilities.

2. Scope

Elected members of Council.

3. Review

(1) This policy was adopted on [Insert Date]. This policy must be reviewed every two years after a general Local Government election, or earlier if Council consider it necessary.

4. Legislation Relating to this Policy

The *Local Government Act 1995* is also complemented by guidelines and handbooks produced by the Department of Local Government (WA).

- *City of Albany Meeting Procedure Local Law*
- *Local Government Act 1995*
- *Local Government (Rules of Conduct) Regulations 2007*
- *Public Interest Disclosure Act 2003 (WA)*

5. Complaint Handling Procedure

(1) Each local government is to designate a senior employee to be its Complaints Officer under the *Local Government Act 1995*.

(2) It is not the role of the City of Albany's Complaints Officer to decide whether a breach has occurred. That is the role of the Standards Panel. The Complaints Officer is responsible for ensuring complaints made under the *Local Government (Rules of Conduct) Regulation 2007* are appropriately referred to the Standards Panel.

(3) Where there has been an allegation of criminal or illegal behaviour, this complaint will not be investigated by the Council but will be referred to the appropriate authority. For example, allegations of corruption will be referred to the Corruption and Crime Commission; allegations of other illegal behaviour may be referred to Western Australian Police or to the Department of Local Government.

(4) Where a complaint made by or against an elected member relates to a matter not dealt with under an Act or Regulation that complaint must:

- be made in writing;
- identify allegations including providing all available evidence that supports the allegation(s); and
- be delivered to the Mayor or Deputy Mayor (in the case of a complaint against the Mayor).

(5) Acknowledgement of receipt of the complaint will be provided by the recipient, to the complainant within seven days of receiving the complaint.

(6) An elected member about whom a complaint has been made will be notified within seven days of receipt of the complaint and of its substance.

(7) The complaint will be treated with strict confidentiality until such time as the matter has been determined. The complainant will also be expected to observe confidentiality.

(8) The Mayor or Deputy Mayor (in the case of a complaint against the Mayor) may with the approval of the parties involved, coordinate a mediation meeting. Such meeting may be facilitated by an independent third party with experience in mediation and conflict resolution.

(9) The following procedures will be followed with respect to assessment and investigation of complaints depending on the level of seriousness.

(10) Where the mediation meeting referred to in clause 2(8) has not been able to resolve the matter:

(a) The Council may appoint an independent assessor who will investigate the complaint.

(b) The investigation will be a balanced assessment of the available evidence, the relevant circumstances prevailing at the time and any other factors relevant to making a fair and reasonable judgement about the matter.

(c) The assessor may recommend that no further action should be taken where in the assessor's opinion the complaint is unsubstantiated, frivolous or vexatious. In this case the assessor will prepare a report to that effect and provide it to the Mayor or Deputy Mayor (in the case of a complaint against the Mayor).

(d) If issues of substance are identified by the assessor the following is to occur:

(i) The elected member the subject of the allegation(s) will be provided with a reasonable opportunity to explain his/her actions and to make a written submission on the allegations to the assessor.

(ii) The assessor must provide the Council with a final written report on the investigation undertaken within 30 days of receiving written instructions. However, if the assessor forms the view that additional time will be needed to conclude the investigation and finalise the report the assessor will bring this to the attention of the Council at the earliest convenience, but at the very latest before expiration of the 30 days from instruction.

(iii) If the assessor makes recommendations that are punitive in nature, the elected member the subject of the complaint will be provided with a reasonable opportunity to respond in writing upon the contents and findings contained in the assessor's report and on the appropriateness of the proposed penalty. Such response must be taken into account by the Council.

(iv) The final report will be presented at a Council meeting in confidence.

(v) On receipt of the final report and recommendation of the independent assessor the Council will determine an appropriate course of action. This may include:

- Request of a private or public apology in relations to the conduct/breach;
- Recommend the Council Member undertake a particular training course or receive appropriate instruction to ensure the offending behaviour is not repeated;
- Remove the member from serving on any Committee or representing Council on an outside body;
- Make a public announcement of the complaint made against the Council member, the determination and the penalty imposed on the Council member.

(vi) After receipt of the final report from the assessor, the Council must convey to the elected member who is the subject of the complaint and to the person who made the complaint, Council's resolution in relation to the complaint and report.

Version Control

Version	Date	Status	Distribution	Comment
01	27/09/2011	Draft	Elected Member workshop	Distributed for Comment.

Offices: 102 North Road
Postal: PO Box 484, ALBANY WA 6331
P: (08) 9841 9333 | F: (08) 9841 4099 | E: staff@albany.wa.gov.au
Author: Executive Manager Business Governance
File Ref: CM.STD.7 | Synergy Ref: NP1120011
Version: 30/09/11

Council Policy & Procedure – Handling of Complaints By or Against the Chief Executive Officer

1. Policy Statement

Allegations made by or against the Chief Executive Officer of the City of Albany will be independently, transparently and promptly addressed and have regard to the principles of fairness, equity and natural justice.

2. Scope

This policy applies to Council in its management of complaints by or against the Chief Executive Officer of the City of Albany.

3. Review

This policy was adopted on [Insert Date]. This policy must be reviewed on at least a biennial basis.

4. Legislation and Associated Documents Relating to this Policy

- *Local Government Act 1995 (WA)*
- *Occupational Safety and Health Act 1994 (WA)*
- *Public Interest Disclosure Act 2003 (WA)*
- *Employee Code of Conduct*
- *Chief Executive Officer's Contract of Employment*

5. Procedure

(1) Council will appoint a standing panel of two persons independent of Council and the City of Albany to have available to it a person to investigate and assess allegations made by or against the Chief Executive Officer.

(2) The Chief Executive Officer is entitled to representation during any investigation.

(3) The appointed assessor:

(a) Will make enquiries into any allegations including enquiries to determine particular factual matters;

(b) Reporting their findings and the reasons for those findings, in writing to Council and the Chief Executive Officer. Where possible, such report, were possible, will be given within four weeks of the allegation.

(4) The appointed assessor may recommend that Council take disciplinary action against the Chief Executive Officer. Such disciplinary action may range from counselling, a formal warning letter or, in more serious cases, summary dismissal.

Version Control

Version	Date	Status	Distribution	Comment
01	27/09/2011	Draft	Elected member workshop	Distributed for Comment.

Offices: 102 North Road
Postal: PO Box 484, ALBANY WA 6331
P: (08) 9841 9333 | F: (08) 9841 4099 | E: staff@albany.wa.gov.au
Author: Executive Manager Business Governance
File Ref: CM.STD.7 | Synergy Ref: NP1120004
Version: 30/09/11

Council Policy – Mayoral Vehicle

1. Policy Statement

(1) Under the *Local Government Act 1995* (the Act) the Council is required to determine the amount of allowances members are entitled to receive within prescribed limits (set out in the *Local Government (Administration) Regulations 1996*).

(2) The amount of these allowances will be reviewed each year by Council as part of the annual budget endorsement process and the revised amount will then be set by a resolution of Council made by an absolute majority.

(3) The Mayor of the City is required to perform a number of functions in the fulfilment of their civic duties. The Council may decide to provide the Mayor with a vehicle for use in the performance of those Mayoral duties. Provision of a Mayoral vehicle is to enable the Mayor to effectively fulfil the Mayoral duties, should the Mayor elect to have the benefit of a City of Albany vehicle.

(4) Provision of a Mayoral vehicle:

(a) is to be in lieu of travel / mileage claims otherwise claimable by the Mayor for use of their personal vehicle. The Mayor could alternatively choose to use a private vehicle and claim travel expenses for that personal vehicle;

(b) can be for reasonable personal or private purposes (but not for any private commercial purpose) but the cost of that private use will be reimbursed by the Mayor to the City of Albany;

(c) will form part of the fees, allowances and other reimbursement ordinarily payable to the Mayor

(d) will be administered in accordance with any related City of Albany fleet management policy and or procedures.

(5) **Private Use of Mayoral Vehicle**

Calculation of the private use component of the Mayoral vehicle cost (and subsequent reimbursement amount) is determined as follows:

(a) A logbook is to be kept of all use of the vehicle for a minimum period of three months;

(b) At the conclusion of that period the percentage of private and official use will be calculated;

(c) The percentage of total vehicle costs (as determined by the City of Albany fleet management policy or procedures) associated with private use of the Mayoral vehicle is to be reimbursed by the Mayor.

2. Scope

This policy is relevant to the Mayor.

3. Legislation and Associated Documents Relating to this Policy

- *Local Government Act 1995*
- *Local Government (Administration) Regulations 1996*

4. Review

This policy was adopted on [Insert Date].

The Chief Executive Officer is to review the policy on or before 1 September 2015.

Version Control

Version	Date	Status	Distribution	Comment
01	1/9/2011	Draft	Audit Committee	For review and adoption by Council.

Offices: 102 North Road
Postal: PO Box 484, ALBANY WA 6331
P: (08) 9841 9333 | F: (08) 9841 4099 | E: staff@albany.wa.gov.au
Author: Chief Executive Office
File Ref: CM.STD.7 | Synergy Ref: NP086660_5
Version: 30/09/11

Council Policy – Code of Conduct for Members of Council

1. Policy Statement

(1) This Code of Conduct is a public declaration of the conduct and standards of behaviour that the Members of the City of Albany Council have agreed to demonstrate as elected community representatives.

(2) The standards in this Code of Conduct are in addition to any statutory requirements of the *Local Government Act 1995 and Local Government (Rules of Conduct) Regulations 2007* or any other relevant Act or Regulation applicable to Council Members in the performance of their role and responsibilities.

(3) Council Members acknowledge their activities, behaviour and statutory compliance obligations may be scrutinised in accordance with prescribed rules of conduct as described in the *Local Government Act 1995* and *Local Government (Rules of Conduct) Regulations 2007*.

2. Scope

This policy is relevant to elected members of Council.

3. Standards of Conduct

(1) Each member of the City of Albany Council, will at all times:

(a) Serve the overall public interest of the City of Albany.

(b) Provide community leadership and guidance to the City of Albany community and organisation and actively participate in achieving the desired future of the City as articulated in City of Albany strategic plans and policies.

(c) Act honestly, with integrity and reasonable care and diligence, in the performance and discharge of official functions and duties.

(d) Ensure transparency and accountability in all interactions with any applicant, or proponent, lobbyists, land and business developers dealing with the City of Albany.

(e) Act within the limitations of their powers.

(f) Avoid making improper or derogatory allegations.

(g) Act in accordance with their obligation of fidelity.

(h) Positively and actively participate in the deliberations and activities of the Council, giving adequate time to the performance of their Council duties.

(i) Keep the Council's goals and policies under review to ensure that they are appropriate and effective.

(j) Keep the Council's resource allocation, expenditure, corporate strategies, and the efficiency and effectiveness of its service delivery, under review to ensure that they are appropriate and effective.

(k) Participate in setting and assessing performance standards to be met under the Council's contract with the Chief Executive Officer.

(l) Ensure their conduct does not bring the Council or the City into disrepute.

(m) Ensure good stewardship of City of Albany resources and not use Council resources for private use.

(n) Take responsibility for ensuring the integrity of the meeting process and for the enforcement of the Meeting Procedures Local Law.

(o) Take responsibility for advising, in reasonable time, the Chief Executive Officer of their possible non availability for attendance at Council meetings and functions.

(p) Conduct themselves during Council and Community meetings in such a manner as to engender respect and confidence in Council. In doing so, Council Members will respect the right of other Members to have a differing view and will give due regard to that differing view when considering how they will vote.

(q) Ensure the proper use of information acquired by virtue of being a Council Member.

(2) For the purposes for determining whether there has been a breach of this Code of Conduct the following guidance is provided:

(a) The test of honesty, integrity, reasonable care and due diligence, proper, disrepute, good stewardship and or, impropriety is objective; that is, it does not depend on the consciousness or subjective intent on the part of the person who so acts.

(b) A particular case is determined by reference to the particular circumstances in which the conduct is said to have occurred.

(c) Appropriate conduct is that which would be expected of a person in the position of the person under consideration, by reasonable persons with knowledge of the duties, powers and authority of the position and the particular circumstances.

(d) A course of conduct may be undertaken in good faith for what are believed to be desirable ends but, on objective analysis, be found to have been so misconceived as to amount to a breach of the standard of conduct.

(e) A breach may occur where there may be no awareness of the possible breach of the conduct because the person thoughtlessly places themselves in a situation failing to have due regard for the circumstances, in which a reasonable person would have not so acted.

4. Duty of confidentiality

(1) For the purpose of the Code of Conduct "Confidential Information" includes but is not limited to:

(a) Information or documents considered in any meeting of Council or a Council Committee which is closed to the public.

(b) Information or documents resolved by Council to be confidential.

(c) A document marked by the Chief Executive Officer to show that the information in the document is confidential.

(d) All information or document, not readily available to the public, relating to staff members, member of the public, Council members or any other person(s), including advertised vacancy applications, works compensation documentation including all medical records, information such as tax file numbers and bank details, salary levels of employees, other similar information pertaining to City of Albany human resource management, and other third parties who supply information to the City of Albany in confidence.

(e) Any data, reports, operations, know-how, accounts, dealings, records, materials, plans, statistics, finances or other documents and things (other than a document or thing which is already in the public domain), whether written or electronic of whatever type or nature relating to property, assets, liabilities, finances, dealings or functions of the City or any undertaking from time to time carried out by the City.

(2) Council members must not at any time divulge or reveal to any person any Confidential Information except if it is:

(a) consistent with the proper performance of Council functions; or

(b) necessary or required by law.

(3) Council members must take all reasonable precautions, including physical and electronic security, to maintain the confidentiality of any Confidential Information.

(4) Council members acknowledge and agree that:

(a) all Confidential Information acquired by them in the performance of Council functions is acquired in confidence and any disclosure of it would be harmful to the City;

(b) damages may not be an adequate remedy for a breach by them of this clause; and

(c) the City may seek injunctive relief to enforce its rights in respect of Confidential Information.

5. Duty of fidelity

Council members undertake to be a capable and loyal Council member acting at all times in the best interests of the City, and to use their best endeavours to ensure that their actions do not bring the City into disrepute or cause the City damage.

6. Unreasonable Conduct by Council Member

In addition to any breach of conduct set out in clause 2, a Council Member will be considered to have acted:

(a) without due care, and exhibited a lack of good stewardship of City of Albany resources, if by a Council Member's conduct, without the approval of Council there is, a substantial and unreasonable diversion of staff time or other City of Albany resources away from City of Albany service provision;

(b) in breach of this Code of Conduct if they exhibit vindictive and or vexatious behaviour. "Vexatious" includes unreasonable lack of cooperation or persistence in demands, argument or behaviours when advised otherwise by the Mayor. Examples of vexatious behaviour includes:

(i) Persisting with a matter even though it has been comprehensively considered by the City or Council.

(ii) Persisting with a matter where all avenues of review have been exhausted.

(iii) Continually reframing a complaint in an attempt to get it taken up again.

(iv) Showing an inability to accept the final decision.

(v) Persisting in interpreting the law or policy in a way that is not in accordance with the generally accepted or expert view on the issue, and insisting that action still be taken.

(vi) Demanding a review or revocation of a decision because it is available, rather than in need of a review or revocation.

(vii) Obtaining unreasonable gratification from the process of regular contact with a City Officer or specific Council Member.

7. Review

(1) This Code of Conduct was adopted on [Insert Date]. This Code must be reviewed every two years after a general Local Government election, or earlier if Council consider it necessary.

(2) The Council may at any time alter this Code of Conduct, or substitute a new Code of Conduct.

8. Legislation and Associated Documents Relating to this Policy

The *Local Government Act 1995* is also complemented by guidelines and handbooks produced by the Department of Local Government (WA).

- *Local Government Act 1995*
- *Local Government (Rules of Conduct) Regulations 2007*
- *Public Interest Disclosure Act 2003 (WA)*
- *City of Albany Meeting Procedure Local Law 2011*
- *The Complete Guide to the Local Government Act, Volume 3, Councillors Manual*
- *Local Government Operational Guidelines – Number 01, May 2000*

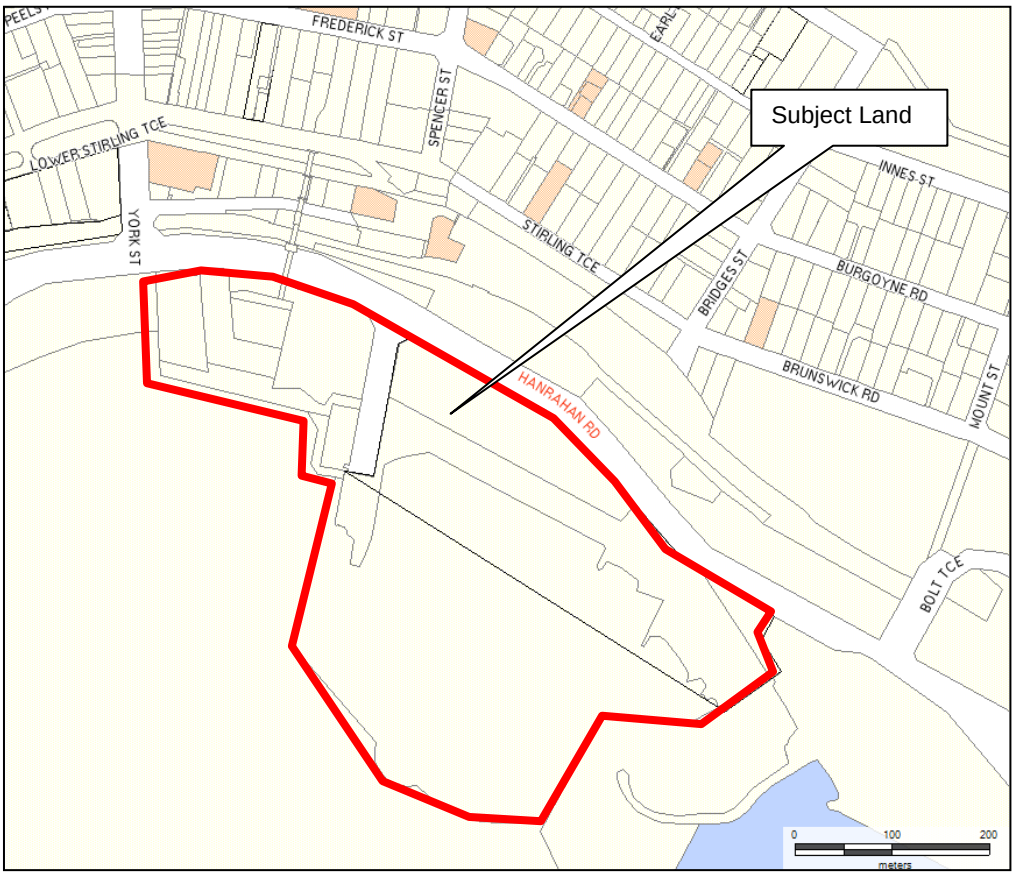
Version Control

Version	Date	Status	Distribution	Comment
01	21/10/2008	Adopted	Internal/External	Author: Chief Executive Officer OMC 21/10/08 Item 14.5.1
02	01/06/2011	Draft	Executive	Complete rewrite, to separated Staff and Elected Members. Document owner: Office of the Chief Executive Officer Released for comment.
03	01/09/2011	Draft	Audit Committee	For comment, referral for adoption by Council.
04	08/09/2011	Draft	Audit Committee	Formatting only.
05	21/09/2011	Draft	Audit Committee	Amendments to Confidentiality Clause feedback from Audit Committee.

2.1: FINAL ADOPTION OF REVISED ALBANY WATERFRONT PROJECT STRUCTURE AND PRECINCT PLANS

Land Description	:	Albany Waterfront Precinct
Proponent	:	Western Australian Land Authority/Landcorp
Owner	:	Crown Land
Business Entity Name	:	N/A
Attachments	:	Exert from Albany Waterfront Planning Framework Report 2nd Edition (Plan showing changes and visual perspectives) Summary of Submissions
Appendices	:	Nil
Councillor Workstation	:	Albany Waterfront Planning Framework Report 2nd Edition (in full) Copies of Submissions
Responsible Officer(s)	:	E/ Director Planning and Development Services (G Bride)

Maps and Diagrams:



IN BRIEF

- The City has received 60 submissions commenting on the proposed revisions to the Structure and Precinct Plans for the Albany Waterfront (AWF) project.
- The planning scheme requires Council to now consider the submissions and determine whether to adopt, or not adopt, the revised plans.

CEO:	RESPONSIBLE OFFICER:

RECOMMENDATION

ITEM 2.1: RESPONSIBLE OFFICER RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

That Council:

1) Pursuant to the provisions of Town Planning Scheme No. 1A ADOPT the revised Structure and Precinct Plans for the Albany Waterfront Project (Albany Waterfront Planning Framework Report 2nd Edition) as final adopted plans (to replace the existing plans) subject to the following modifications:

i) The landscaping proposed on the decked car park should:
- **Be planted with local species including groundcovers, shrubs and trees,**
- **Form part of the overall stormwater treatment system for the development, and**
- **Include paths, seating, lights etc.**

ii) An additional clause is included in the Precinct Plan at Part 24.0 'Short-Stay Residential' to ensure that all tourist use should be restricted to a maximum of 3-months in any 12-month period in accordance with the recommendations of WAPC Planning Bulletin 83.

2) Direct the CEO to GIVE NOTICE in the local media of the final adopted plans as required by the Town Planning Scheme No. 1A.

3) RECEIVE the submissions and direct the CEO to ADVISE all submitters in writing of the final adopted Structure and Precinct Plans.

BACKGROUND

1. The City at its 19 July 2011 meeting (OCM Item 2.2) resolved to adopt the revised Structure and Precinct Plans for the Albany Waterfront Project and seek public comment as follows:

   That Council:

   1) Pursuant to the provisions of the Town Planning Scheme No. 1A ADOPT the modified Structure and Precinct Plan titled the 'Albany Waterfront Planning Framework' for the purposes of advertising for public comment for a period of 35-days subject to the images contained within the Attachments, and an overshadowing plan being prepared to identify the extent of overshadowing that is likely to result from the sixth storey of the short stay accommodation building, being inserted into the report; and

   2) REQUIRE the proponents (Landcorp) undertake a manned public display in the Albany Public Library during the advertising period to assist public awareness of the proposed modifications to the plans.

2. The advertising period has been completed and a total of 60 submissions were received (see attached Summary of Submissions) for consideration.

DISCUSSION

3. As required in Council's July decision, a study showing the shadows expected to be cast during summer/winter from the hotel and short-stay apartment buildings was included in the Albany Waterfront Planning Framework Report 2nd Edition report along with other supporting

information prior to the document being placed on public advertising (the shadow study is attached to the rear of this report).

4. The proposal is to modify the existing Structure Plan and Precinct Plan adopted by the City in 2006. These plans provide the planning framework including land use and development controls and standards for the AWF project.

5. The Structure Plan provides the strategic background and long-term vision and objectives for the project whilst the Precinct Plan provides the details including requirements for the individual precincts, permitted land uses and planning and design guidelines for the buildings to control development within the project.

6. The proponents (Landcorp) seek the revisions due to the previous unsuccessful attempts to develop the hotel/motel and short-stay apartment component of the AWF project. As a result of the discussions between Landcorp and prospective developers during this process, they consider these modifications will improve the marketability and potential take-up of the development site and ultimately the construction of a hotel/motel and short-stay apartments within the Albany waterfront.

7. The modifications requested by Landcorp include increasing building heights, floor area allowances, car parking bays and changing some design criteria for the roofs of the buildings for some parts of the Commercial and Accommodation Precincts as set out in the following tables:

Accommodation Precinct	
This precinct covers the eastern side of Toll Place comprising the hotel/motel and short-stay apartments.	
Land Uses	Hotel Motel Residential Building (short-stay accommodation only) Reception Centre Shop Restaurant Office Other minor or incidental uses within the precinct may be permitted at the discretion of Council
Floor Area (m² gross floor area)	10,500m^2 for Hotel *(up from 7,500)* 6,800m^2 for Short-stay apartments *(up from 4,600)*
Potential for Units (dependent on size)	120-145 Hotel rooms *(up from 125)* 80-90 Short-stay apartments *(up from 50)*
Building Height	Hotel/Motel 5-storeys *(use of roof volume removed)* Short-stay 6-storeys *(up from 4-storeys and use of roof*

	volume removed)
Parking Bays within AWF	792 *(increase from 700 bays)*

Commercial Precinct	
This precinct covers the east section of the AWF comprising maritime focussed mixed commercial/retail uses with capacity for short-stay apartments on the third floor.	
Land Uses	Shop Restaurant Office Museum Residential Building (short-stay accommodation only) *(added)* Other minor or incidental uses within the precinct may be permitted at the discretion of Council
Floor Area (m² GFA)	6,750 Mixed use commercial/retail/short-stay apartments *(short-stay apartment added and floor area up from 4,000)*
Building Height	Mixed use commercial/retail/short-stay apartments 3-storeys *(up from 2-storeys and use of roof volume removed)*
Parking Bays within AWF	792 *(increase from 700 bays)*

8. The submissions have been received from residents, visitors, business operators/organisations and Government agencies. The submissions received generally favour the overall AWF project, although the views on the revised plans were mixed. A total of 60 submissions were received and the outcomes can be generally summarised as:

Submission	**Number of Submissions**	**%**
Opposing Revised Plans	27	45
Supporting Revised Plans	26	43
Neutral	7	12
Totals	**60**	**100**

9. As required by Council, the revised plans have been circulated for comment within the area around the AWF.

10. The May 2006 Structure Plan received some 22 submissions and the September 2006 Precinct Plan received 148 submissions, petitions.

11. As part of this round of advertising the City advised 660 landowners within the local area directly by mail and this yielded some 20 submissions. Of those submissions, the opposition/support to the proposal was evenly split at 10 submissions each.

12. The submissions contain a wide range of views, some of which still express their overall opposition to the AWF project, and others that although agreeing with the existing plans feel that Landcorp as the proponents should provide better justification and project details before the City agrees to the modifications. Some of the submissions point to the present economic climate and question the overall viability of the project.

13. The submissions that oppose the revised plans and that comment directly on the revised plans do not support any increase in building heights stating it will further restrict views to the harbour from areas within town and adversely affect the heritage values along Stirling Terrace. Some submissions commented on the bland nature of the buildings illustrated within the photomontages and some questioned the purpose of the photomontage, stating they don't represent a true indication of what views will be restricted.

14. The submissions supporting the revised plans generally point to the overall economic benefits to be derived from the project and the opportunities for local contractors/suppliers and employment gains. Some submissions believe that modifications are inevitable given the changing requirements of the tourism industry and the need to ensure that the project is viable to enable it to be developed.

15. Some of the submissions raised matters that are beyond the scope of the revised plans or seek to revisit previous decisions, including perceived traffic difficulties and land use conflict with the operations of the Port.

16. Those submissions received from Government agencies were largely neutral on the revised plans. Some reiterated previous concerns (such as Co-operative Bulk Handling Ltd on traffic matters) and some provided advice on servicing and process matters.

17. The revised plans were referred to the Heritage Council of WA for assessment given the proximity of the development to both Stirling Terrace and Town Jetty which are included on the State Register of Heritage Places (highest status for heritage places in WA). The Heritage Council of Western Australia has assessed the revised plans in the context of these places and have advised that whilst they will have a minor impact, the Council does not object to the revised proposal proceeding.

18. The increased building heights and footprints will restrict some views from areas around the development. These changes have been presented in the photomontages provided by Landcorp. It is accepted that the photomontages can only show, in a general sense, the likely affects/changes and these are restricted to existing developments only. It is clear that some people will have their views affected more than others.

19. The proponent advises the changes are necessary to progress the AWF project. The overall long-term benefits to the City and region from the tourism investment dollars associated with the construction of the accommodation areas within the AWF project (with their economic multiplier effects) are considered to outweigh the negative impacts.

20. It is clear that the size of the hotel and service apartment buildings is critical to the ability for Landcorp to market the site to potential developers and secure its purchase and development. These developments provide the necessary support to the other mixed use/retail activities and vice versa.

21. Council needs to determine whether the modifications sought to the Structure and Precinct Plans continue to reflect the direction and developments it wishes to promote for the AWF project. Clearly it is in the interests of the City to ensure that the buildings achieve the high standards promoted in the plans.

22. The need to remain flexible about changes over time is reflected in the status of the project as a Local Strategic Tourist Site under the Tourist Accommodation Planning Strategy (Pracsys/City of Albany, July 2010) and its identification of a substantial shortfall in 4+ star accommodations with potential demand for 4-5 star motel/hotel style accommodation. The report suggests that this demand may equate to between 240-400 rooms and this proposal will go a long way to satisfying that unmet need.

23. There are some minor modifications recommended to the revised plans as a result of the submissions as follows:
    1. The landscaping proposed on the decked car park should:
        - Be planted with local species including groundcovers, shrubs and trees,
        - Form part of the overall stormwater treatment system for the development, and
        - Be made available for use by the patrons and visitors to the hotel/apartment buildings by including paths, seating, lights etc
    2. An additional clause be included in the Precinct Plan at Part 24.0 'Short-Stay Residential' to ensure that all tourist use should be restricted to a maximum of 3-months in any 12-month period in accordance with the recommendations of PB83.

24. The revised plans do not affect the overall outcomes of the Traffic Assessment report prepared for the original Structure/Precinct Plans and the traffic system is able to meet the increased vehicles and demand without additional interruption to port activities. The Port of Albany and Department of Transport did not provide a submission or raise any concerns regarding the revised plans and its impacts on roads or their operations.

25. The additional hotel rooms and serviced apartments will generate the need for an additional 55-65 car parking bays. The revised plans include an additional 92 bays (up from 700 to 792) which adequately caters for the increased parking needs.

GOVERNMENT CONSULTATION

26. The revised plans were referred directly to relevant state departments and agencies for comment including the Fire and Emergency Services Authority of WA, Environmental Protection Authority, WA Police Service, WA Land Authority, WA Museum (Albany), Main Roads WA, Albany Port Authority, Alinta Gas, Telstra, Water Corporation, Western Power, Westnet Rail, Department of Water, Department of Transport, Heritage Council of WA, Department of Indigenous Affairs, Department for Planning (Albany Regional Office, Perth Tourism Branch and Coastal Branch) and Department of Housing.

27. A total of nine submissions were received from Government agencies including Main Roads WA, Telstra, Water Corporation, Western Power, Department of Water, Heritage Council of WA and the Department for Planning (Albany Regional Office, Perth (Tourism Branch and Coastal Branch)).

PUBLIC CONSULTATION / ENGAGEMENT

28. In accordance with Council's decision, the revised plans were:

- Advertised in the local newspaper (28 July and 4 August 2011);
- Directly referred to nearby landowners (with 660 letters sent);
- Displayed on photoboards and information notice displays (including information sheets, comment forms and submission box) at Albany Public Library by Landcorp (28 July – 1 September 2011);
- Displayed personally at the Albany Public Library by a Landcorp representative (12 August 2011); and
- Discussed at a public information session (including information sheets and comment forms) at the Albany Entertainment Centre by Landcorp representatives (13 August 2011).

29. A total of 51 submissions were received from the public or non-government agencies.

STATUTORY IMPLICATIONS

30. The subject land is contained in the Foreshore Development Zone under Town Planning Scheme No. 1A.

31. The Scheme contains the following requirements for any land in the Foreshore Development Zone:

STRUCTURE PLAN

4.40 For the purposes of guiding the development of land within the Foreshore Development Zone, the Council has adopted a Structure Plan for the whole of the area contained within the zone.

4.41 The Structure Plan shows the intended general distribution of land uses, open spaces and major reserves within the Foreshore Development Zone, but does not precisely locate or dimension and land use or land parcel, nor does it reserve, or purport to reserve, land for any purpose.

4.42 The Structure Plan may be elaborated, amended or another plan substituted for it in the same manner as prescribed for modifications to the Central Area Policy Plan in Clause 4.29 of the Scheme Text.

4.43 The Foreshore Development Zone is divided into Precincts and the location and boundaries of the Precincts are also shown on the Structure Plan.

PRECINCT PLANS

4.44 No person shall carry out any development within the Foreshore Development Zone unless such development is in accordance with a Precinct Plan which has first been adopted by the Council.

4.45 A Precinct Plan may be prepared by the Council, or by any other person who may then submit the Precinct Plan to the Council for its approval and adoption.

4.46 The Council shall neither approve nor adopt a Precinct Plan unless it complies with, or is substantially in accordance with, the Structure Plan.

4.47 The Council shall neither approve nor adopt a Precinct Plan unless the Precinct Plan shows or otherwise clearly describes the following:

(a) The proposed use of all land within the Precinct, including both public and privately owned land;

(b) The location and dimensions of any roads, pedestrian and cycle paths, car parking areas, public open spaces and other reserves;

(c) The number of cars which any car parking areas are designed to accommodate;

(d) The boundaries and approximate dimensions of any lots to be created through the subdivision of land within the Precinct; and

(e) The planned disposition of buildings in terms of height and setbacks from lot or reserve boundaries.

4.48 The Council may also require that a Precinct Plan show or otherwise described the following:

(a) The type and colour of the paving materials which are proposed to be used in the construction of roads, paths and public open spaces;

(b) Indicative designs of any buildings to be constructed;

(c) The location and form of outdoor furniture or any other artefact proposed to be placed within any public space;

(d) The location, quantities and species of any plants which are to be used for landscaping the Precinct; and

(e) Any other detail which the Council, at its discretion, considers necessary or desirable for the Precinct Plan to show or describe.

4.49 The Council shall not adopt a Precinct Plan until after the following procedures have been completed:

(a) The Council, having first approved the Precinct Plan, shall publish a notification once a week for two consecutive weeks in a local newspaper circulating within the Scheme Area giving details of where the Precinct Plan may be inspected, and in what form and during what period submissions may be made.

(b) The Council shall review the Precinct Plan in the light of any submissions received and shall then resolve either to formally adopt the Precinct Plan with or without modification, or not to adopt the Precinct Plan.

(c) Following final adoption of a Precinct Plan, notification of the final adoption shall be published once in a newspaper circulating within the Scheme Area.

4.50 A Precinct Plan may be amended or another plan substituted for it in the same manner as provided for the approval and adoption of a Precinct Plan in Clause 4.48 and the provisions of that clause shall apply with the necessary changes to an amendment or substitution.

4.51 Where, in the opinion of the Council, an amendment to a Precinct Plan is minor and of little coincidence, the Council may approve the amendment without first carrying out the requirements of Clause 4.49.

32. The proposed modifications affect components of both the existing Structure Plan and Precinct Plan for the Albany Waterfront project and the revised plans have been advertised in accordance with scheme requirements.

STRATEGIC IMPLICATIONS

33. The recently adopted City of Albany Strategic Plan (2011-2021) states under the Key Focus Area of *'Sustainability and Development'* the following community priorities in relation to this item:

"A diversified industrial base
Facilitate the sustainability of the Port, by protecting the freight routes from urban encroachment."

"Tourism Development
Improve and expand tourism infrastructure and attractions.
Encourage investment in quality hotel accommodation (e.g. the Former Esplanade site at Middleton Beach and the Waterfront site)."

34. The AWF project is located on Princess Royal Drive which also serves as the main vehicle access route to the Port of Albany. From the project's inception, the City has required the proponents (Landcorp) to complete and implement a Traffic Management Plan to address the impacts and ensure that port activities including transport are not adversely affected.

35. The Traffic Management Plan is now being implemented in conjunction with Main Roads WA/City and Landcorp with Toll Place and Princess Royal Drive etc being upgraded to accommodate the changes.

36. The development of the hotel/motel and serviced-apartments components of the AWF project would significantly assist the City's and community's goal to increase tourism development within the City and region.

37. The AWF project is included within the WA Planning Commission's Lower Great Southern Strategy and Albany Local Planning Strategy as a strategic project for Albany.

POLICY IMPLICATIONS

38. In its submission, the Department of Planning (Albany Office) advised *"...As far as SPP2.6 goes, the Council needs to have due regard to the SPP when amending its planning scheme, which in this instance would include the Structure Plan I expect, under S77 of the Act.*"

39. The requirements of the WA Planning Commission State Planning Policy 2.6 'State Coastal Planning Policy' (SPP2.6) impact on the revised plans where at Part 5.3 it states:

5.3 Building Height Limits

The provisions of this part of this policy apply to all urban development, including residential, hotel, short-stay accommodation, car-parking, retail and office development, or any combination of those uses, but does not apply to industrial or resource development, transport, telecommunications and engineering infrastructure, and Port Works and Facilities (as defined by the Port Authorities Act 1999) within 300 metres of the horizontal setback datum. A varied distance from the horizontal setback datum may be approved as part of controls set out in a local planning scheme, on the basis of appropriate analysis with reference to built form, amenity, landscape and topography and having regard to cadastral boundaries.

The height of buildings should be limited to a maximum of five storeys (and not exceeding 21 metres) in height. Local planning schemes may specify lower maximum height limits in particular localities in order to achieve outcomes which respond to the desired character, built form and amenity of the locality.

Higher structures up to a maximum of eight storeys (and not exceeding 32 metres) in height may be permitted where:—

(a) There is broad community support for the higher buildings following a process of full consultation;

(b) The proposed development(s) is suitable for the location taking into account the built form, topography and landscape character of the surrounding area;

(c) The location is part of a major tourist or activity node;

(d) The amenity of the coastal foreshore is not detrimentally affected by any significant overshadowing of the foreshore; and

(e) There is visual permeability of the foreshore and ocean from nearby residential areas, roads and public spaces.

40. The main purpose of SPP2.6 is to inform and guide the WA Planning Commission in the undertaking of its planning responsibilities, and in integrating and co-ordinating the activities of State agencies that influence the use and development of land on the coast. The SPP is also to guide Local Governments, other agencies, SAT etc. of those aspects of SPP2.6 concerning the protection of the coast that should be taken into account in planning decision making.

41. The implementation of any SPP is primarily through the preparation of regional/local strategic plans, local planning schemes and other relevant plans (such as management plans), as well as through the decision-making on subdivision and/or development applications etc. Any new or amended planning scheme should be consistent with the objectives, policy and guidelines content of any relevant SPP and Local Governments and State agencies should take account of SPP's to ensure integrated decision-making.

42. The revised plans:
- Maintain the existing maximum building height of the hotel/motel to 5-storeys (building height of 15.5m) and removed the ability to use roof volume.
- Increase the maximum building height of the short-stay apartments to 6-storeys (building height of 18.5m) and removed the ability to use roof volume.

43. In regards to building heights, the Precinct Plan at Part 11.6 'Levels and Height Management' requires:

11.5 Ground floor ceiling heights throughout the development should generally be higher than minimum to reflect the ceiling heights associated with historical buildings in Albany. Minimum ceiling heights in the order of 3.0 to 3.5m are suggested. The AEC will have a ground level ceiling height commensurate with its public function.

11.6 Floor to floor levels, excluding the ground floor, in the Hotel and short-stay serviced apartment buildings should be limited to 3.0m.

44. Overall, whilst the revised plans include a 6th storey on the short-stay apartment building, the proposed building heights are well within the maximum building heights (5-storeys and not exceeding 21m and buildings up to 8-storeys and not exceeding 32m) as set out in Part 5.3 of SPP2.6 requirements.

45. The Department of Planning/Western Australian Planning Commission have not provided any advice on what constitutes '*broad community support for the higher buildings'* and it is unclear if this is required to be shown in the submissions or some other way. The submissions where commenting directly on the proposed increased building heights and land use changes, generally support the revised plans. The decision of the Council, whether to adopt the revised Structure and Precinct Plans represents a decision on behalf of the broader community as set out in SPP2.6(a). All other criteria have been resolved through the development of the Concept, Structure and Precinct Plans.

RISK IDENTIFICATION & MITIGATION

46. The risk identification and categorisation relies on the City's Risk Management Framework.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Modified Structure and Precinct Plans not adopted by Council and the proponent is unable to "market" the site for economically viable enterprise, it is unlikely that a tourism development will be constructed on the site.	*Likely*	*Significant*	*Medium*	*Mitigation entirely dependent on Council.*

FINANCIAL IMPLICATIONS

47. The AWF project is being developed by the State Government which included the construction of the Albany Entertainment Centre.

48. The assessment of the proposal has been conducted by staff within existing budget lines and resources.

LEGAL IMPLICATIONS

49. Given the introduction of Development Assessment Panels (DAPs) from 1 July 2011 and the likelihood that any development of a hotel/motel and/or service apartments etc within the AWF project would have a development cost exceeding $7m, such a proposal will be required to be sent to the Great Southern Joint DAP for a decision. As stated before, this requires that the City ensure the AWF Structure/Precinct Plans reflects the direction it wishes to promote for the Albany Waterfront.

ALTERNATE OPTIONS

50. Council has the following options in relation to this application:

Option A
To accept the revised plans (in part or whole).

Option B
To not accept the revised plans (in part or whole) and continue with the existing adopted 2006 plans.

Option C
Defer consideration of the proposal, should Council believe more information is required.

SUMMARY CONCLUSION

51. The revised AWF Structure/Precinct Plans is submitted to Council to provide the best opportunity for development of a significant tourist accommodation development within the Albany Waterfront.

Consulted References	Town Planning Scheme No. 1A Albany Waterfront Planning Framework Report (including Structure Plan Report & Precinct Plan Report) Albany Waterfront Memorandum of Agreement (September 2007)
File Number (Name of Ward)	ED.PJT.4 (Frederickstown Ward)
Previous Reference	OCM 19/09/06 - Item 11.1.2 OCM 20/06/06 - Item 11.1.1 OCM 16/05/06 - Item 11.3.1 OCM 21/03/06 - Item 11.3.2 OCM 19/07/11 – Item 2.2

AGENDA ITEM 2.1 REFERS

CITY OF ALBANY TOWN PLANNING SCHEME No. 1A

ALBANY WATERFRONT MODIFIED STRUCTURE AND PRECINCT PLAN

SUMMARY OF SUBMISSIONS

No	Name/Address of Submitter	Summary of Submission	Officer Comment
1	Richard Congdon (Dymocks Albany) 171 York Street ALBANY WA 6330	1a Welcomes development as it would address Albany's lack of accommodation and employment opportunities for unskilled workers. Feels that the height restrictions should be removed and let the market decide how many stories are possible as to attract a bigger hotel chain. 1b Suggests that any development should complement the AEC.	Submission supports the revised plans.
2	Angie Fryer-Smith (c/- Brava Shoes) 133 York Street ALBANY WA 6330	2a Supports the development and the proposed height. Believes accommodation should be maximised to attract tourists. Not supportive of the grass roof, thin metallic structures with bold colour contrasts or rusted iron look, however suggests lots of trees and benches and wind protection.	Submission supports the revised plans.
3	Ian Hill 19/46 Vancouver Street ALBANY WA 6330	3a Objects to development based on the location it not being viable. Foreshore should be reserved for low impact and low rise development to protect heritage views.	Submission opposes the revised plans.
4	Melanie Price 76 Festing Street ALBANY WA 6330	4a Supports modest changes to help ensure the waterfront can be more economically viable.	Submission supports the revised plans.
5	Cliff Wignall 129b Angove Road SPENCER PARK WA 6330	5a Supports the changes so as to make the development viable. Albany is in desperate need of this development to provide accommodation for the ANZAC 2014 event. It will greatly complement and enhance the AEC, marina and markets.	Submission supports the revised plans.
6	Nola Webber PO BOX 1942 ALBANY DC 6331	6a Supportive of the plan in theory due to the waterfront needing improvements, however would prefer to see it utilised as a park for tourists and families. 6b Raises concerns in regards to the safety of patrons leaving this precinct due to clashing with port activities such as trucks and trains.	Submission supports the revised plans. The traffic/pedestrian matters raised are also the subject of comment from MRWA (see Submission 24).
7	Peter Trapnell 24 Cliff Street ALBANY WA 6330	7a Supports the increased height so that it is more attractive for developers.	Submission supports the revised plans.
8	Brian Wooldridge 683 Albany Hwy	8a Strongly objects to the waterfront being turned into a commercial precinct and should be reserved for public	Submission opposes the revised plans.

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ALBANY WATERFRONT MODIFIED STRUCTURE AND PRECINCT PLAN

SUMMARY OF SUBMISSIONS

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	McKAIL WA 6330		open space. No provision for BBQ's and lawned areas. The unique open aspect the harbour will become built up.	
		8b	The groyne should be 100m out from the AEC to avoid storm waves breaking onto the building.	
9	Maley 14 Earl Street ALBANY WA 6330	9a	The pollution and health risk by the engine exhaust from the rolling stock servicing will be exacerbated by the wind break effect resulting in consequences to health of residents as per Structure Plan Report page 12.	Submission opposes the revised plans.
		9b	We do not have enough water now let alone for this extra population. The extra power needed will fall on the taxpayer.	
10	Kathy Rogerson (Albany Foreshore Guest House) 86 Stirling Terrace ALBANY WA 6330	10a	Supports the development of the foreshore but objects to the increased height as it is offensive to the pioneers who built the historic buildings on Stirling Terrace and will ruin the views from Stirling Terrace to the Harbour.	Submission opposes the revised plans. In regards to the heritage impacts, the HCWA do not oppose the revised plans (see Submission 21).
11	Richard Ball 15 Bridges Street ALBANY WA 6330	11a	Supports the proposed changes as it is a visionary step forward for the community and a wonderful asset to this City.	Submission supports the revised plans.
12	John & Teresa Pettitt No address provided	12a	I would like to see a bright colour on the outside of new construction. It would make a lovely contrast to any grey days of Albany's winter.	Nil.
13	Ross Fenwick 45894 South Coast Hwy KALGAN WA 6330	13a	Objects to the increased height as it will block views, overshadow public space between building and waterfront and inhibit public use of this space with the intimidating height of 6 stories.	Submission opposes the revised plans.
		13b	All ground floors should be commercial except for hotel lobby and apartment access.	
		13c	Commercial and retail spaces should be continuous not separated to encourage pedestrian flow in windy or wet conditions.	
		13d	Building height should be stepped in south to north axis to overcome intimidating impact of buildings on POS.	
		13e	Commercial/retail precincts should adjoin with accommodation precinct at eastern end of development.	
		13f	Trailer parking is separated from ramp area by "Fishing	

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		area hardstand". 13g As Albany only has two all wind launching ramps; it is unlikely that enough parking has been provided for trailers. 13h Overshadowing will affect POS all year round as POS is between shore line and buildings, not on the marina side of the shore line. The diagrams demonstrate the nonsense of the statements on page 68. 13i Recommends that development like Hillarys Boat Harbour or Sorrento Quay would be more appropriate.	
14	Heather Marr 233 Tennessee Road LOWLANDS WA 6330	14a Objects to the height increases as they are unacceptable. 14b The town will be further cut off from the harbour. 14c The proposed building styles clash with the Stirling Terrace area. 14d Recommends that the whole project is rethought if not as viable as initially proposed. 14e Wrong development in the wrong place. Albany is a town where people live close to a beautiful environment and it is a working port.	Submission opposes the revised plans.
15	Andrew Markovs 82 Vancouver Street ALBANY WA 6330	15a Strongly supports the amended structure plan. 15b Suggests maximum landscaping and public art incorporated into the built environment. 15c Where practical suggests grassed and planted flat roofs with the possibility of having public access to these areas.	Submission supports the revised plans.
16.	Jan Weiss (email submission)	16a Supports the amended structure plan in general. 16b Suggests a careful look at the maximum building height west to the Entertainment Centre. Reading the Albany Waterfront Planning Framework it says on page 10 that: "Another viewing point occurs from the Rotunda in Stirling Terrace (3). This view shed determines the maximum building heights to the western edge of the development. At the Rotunda the height difference between the foreshore and Stirling Street is approximately 6.5 metres thus limiting the height of any buildings in front of the Rotunda to two storeys." It seems to be clear that the views from Stirling Terrace to Princess Royal Harbour west of the Entertainment Centre	Submission supports the revised plans. The revised plans (as with the existing plans) sets building heights within each precinct. These building heights are determined by storeys and will be controlled through Part 11.0 „Levels and Height Management" through the Precinct Plans. The „potential to use roof volume" allows the available roof volume to provide space for a mezzanine or loft and has been deleted from the Accommodation and

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			were supposed to be protected, not 100 % of course, as even a 1 storey building would obstruct the direct view to the foreshore, but in a sense that the water of the harbour can be seen above the new buildings after they are completed. However, on page 16 of the same report it states for the same site: "2 storeys with potential to use roof volume". There is obviously a discrepancy and to me it seems pretty likely that 2.5 storeys would completely eliminate water views from Stirling Terrace and the new bridge over the new commercial building (and also some views to the Peace Park). As Lot 1 is already advertised for sale I think there might be some urgency to clarify the maximum ridge height of the new building, as once the lot sold any developer would go for the maximum floor area and height permitted. As the possibly fastest and cheapest way to determine at what building height water can be seen above a proposed new building I suggest someone with a long pole (say 6m height) places himself on Lot 1 while a second person takes photos from the Rotunda and the bridge. The City of Albany and Landcorp could then simply put a max. Building height of ... permitted for the Lot in the contract before the sale. A relatively small difference in height could make quite a big difference, because if the body of water on the horizon is uninterrupted all the way until it meets the first "sail" of the Entertainment Centre the solitary character of the centre's design will be enhanced, otherwise it will have more of a "framed" appearance between buildings. For the public it could make the difference of 100m of water view rather than 100m without water view from Stirling Terrace.	Commercial Precincts.
17	Kathy & Philip Rogerson	17a	Supports the waterfront development and the existing	Submission opposes the revised plans.

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ALBANY WATERFRONT MODIFIED STRUCTURE AND PRECINCT PLAN

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No	Name/Address of Submitter	Summary of Submission	Officer Comment
	(Albany Foreshore Guest House) Unit 3, 15 Hayward Street HARVEY WA 6220 & 86 Stirling Terrace ALBANY WA 6330	framework, however raises concerns with the increased height limits. 17b Increased heights are not kind to Stirling Terrace landowners and offensive to the pioneers who built the structures on Stirling Terrace. 17c The views along Stirling Terrace are essential to the future of Stirling Terrace which is the premier street in Albany.	In regards to the heritage impacts, the HCWA do not oppose the revised plans (see Submission 21).
18	EA Harley 37 Grey Street East ALBANY WA 6332	18a Supportive of the changes but makes the following comments: 1. At the address shown above I will be slightly affected by most Foreshore development. However, I consider that for the betterment of Albany in general some level of disadvantage can well be accepted and a balanced consideration should be taken. 2. There is a critical need for some four star hotel and short stay accommodation in Albany and with likely 2014 ANZAC commemorations the need is urgent if timely development is to occur. It would be hoped that all aspects of the planning process and building approvals would be prioritised to ensure that construction is completed on or before 2014. 3. There is no certainty that either the original Esplanade Hotel site at Middleton Beach or the proposed resort at Frenchman Bay will be completed by 2014 especially with the largely unnecessary delays forced on the latter site by identities both within and outside Council. 4. Some note should be taken of the foreshore development in that progressive City of Geraldton where some very similar apartment construction is underway. See page 19 of The West Australian dated 2 August 2011 .That city does not have the very considerable rising contour advantage that Albany has in regard to overlooking 4 or 6 storey foreshore building. Again I consider that a balanced consideration should be taken for the	Submission supports the revised plans.

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ALBANY WATERFRONT MODIFIED STRUCTURE AND PRECINCT PLAN

SUMMARY OF SUBMISSIONS

No	Name/Address of Submitter	Summary of Submission	Officer Comment
		overall benefit of the City. 5. Having owned a multistorey unit in Perth with outstanding views I fully support the proposal to provide balconies despite the sometime vagaries of the Albany climate. 6. I note that entry to both the hotel and apartments is indicated from a South Westerly direction and I consider that it is essential that final building design provides adequate protection from winter weather from that direction.	
19	Graeme Harvey CEO (Albany Chamber of Commerce & Industry) 63 Grey St East ALBANY WA 6330	19a Strongly supports the modified plan as it will greatly augment the marketing opportunities available to Landcorp in attracting a suitable developer for the proposed hotel and accommodation complex. 19b Albany would benefit from a 4 or 5 star hotel in regard to enhancing the conference usage of the adjacent AEC as numerous conference enquiries are turned away from both interstate and intrastate entities owing to the lack of break-out space currently available at the AEC. The mandatory allocation of conference space to be contained in the proposed hotel development will obviate that barrier. 19c Another significant factor would be the reinstatement of Albany on the Australian Tourism map as our understanding is that a number of tourism publications require the provision of a 40 room 4-star hotel on the one site as a precursor for inclusion.	Submission supports the revised plans.
20	Senior Development Planner Development Services Water Corporation 629 Newcastle Street LEEDERVILLE WA 6007	20a No objections to the modifications subject to the following improvements to the water and wastewater network. 20b It is noted that the development floor area has increased significantly by approximately 30%. This advice consists of a preliminary estimation of the impact on the Corporation's infrastructure and the upgrades required catering for the development. 20c Wastewater A DN300 gravity sewer is available along the majority of the frontage of this land. On preliminary investigation, it	The WC advice regarding the upgrading requirements will be provided to Landcorp for their information and action.

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ALBANY WATERFRONT MODIFIED STRUCTURE AND PRECINCT PLAN

SUMMARY OF SUBMISSIONS

No	Name/Address of Submitter	Summary of Submission		Officer Comment
			appears that connection to this main will be possible. There may be a need for a minor DN150 extension to provide a connection for all of the lots. A planning review will be required to review the capacity of No. 1 Sewer Pump Station in York Street to determine if a capacity upgrade is required.	
		20d	Water On preliminary investigation, improvements that may be required include the construction of a link DN150 at the lower end of York Street between Stirling Terrace and Princess Royal Drive, and upgrade section of a DN100 main across Stirling Terrace near Residency Road. A water scheme review to check the capacity for the area will be required as the network may not be adequate without upgrade.	
		20e	Funding Reticulation size mains (mains under DN 300) are the responsibility of the developer. Upgrades to headworks (mains DN 300 and over, and pump stations) may require prefunding by the developer. The developer should consult with the Corporation on final infrastructure and funding requirements.	
21	Development Referrals Manager Office of Heritage Heritage Council of WA 108 Adelaide Terrace EAST PERTH WA 6004	21a	Note the referral due to the location of the Stirling Terrace Precinct and Albany Town Jetty which are contained on the State Register of Heritage Places within the vicinity of the waterfront and appreciate the opportunity to comment.	Submission supports the revised plans. Both Stirling Terrace and Town Jetty are included on the State Register of Heritage Places, which is highest status for heritage places in WA. The HCWA have assessed the revised plans in the context of these places and have advised that they will have a minor impact and do not object to the proposal proceeding.
		21b	Note previous advice to Landcorp (December 2008) that views from Stirling Terrace to harbour were to be maintained wherever possible.	
		21c	The HCWA consider the proposal will have minor impact on views to the harbour and understands the reasons for the proposal to increase the height of the hotel site and the impact of this height increase is negated by the fact that the majority of the harbour is still mostly visible and unobstructed from Stirling Terrace.	
		21d	The HCWA has assessed the modifications in the context of the identified heritage significance of Stirling Terrace and Albany Town Jetty and confirms no objection to the	

CITY OF ALBANY TOWN PLANNING SCHEME No. 1A

ALBANY WATERFRONT MODIFIED STRUCTURE AND PRECINCT PLAN

SUMMARY OF SUBMISSIONS

No	Name/Address of Submitter	Summary of Submission		Officer Comment
			plan.	
22	Regional Manager Department of Environment and Conservation 120 Albany Hwy ALBANY WA 6330	22a	The plan focuses on the built environment, architectural design and local scale landscape considerations and consequently the DEC has no comments on the proposed plan.	Nil.
23	Regional Manager – Great Southern Regional Planning & Strategy Department of Planning 178 Stirling Terrace ALBANY WA 6331	23a	Wishes to draw attention to the Building Height requirements of State Planning Policy 2.6 (State Coastal Planning Policy), which permit buildings above 5 storeys where provisions a) to e) are addressed (listed below). These provisions are of relevance as the new heights anticipated by the modifications allow some buildings up to 6 storeys. *Planning Policy 2.6 – Higher structures up to a maximum of eight storeys (and not exceeding 32 metres) in height may be permitted where:-* a) *There is broad community support for the higher buildings following a process of full consultation;* b) *The proposed development(s) is suitable for the location taking into account the built form, topography and landscape character of the surrounding area;* c) *The location is part of a major tourist or activity node;* d) *The amenity of the coastal foreshore is not detrimentally affected by any significant overshadowing of the foreshore;* e) *There is visual permeability of the foreshore and ocean from nearby residential areas, roads and public spaces.*	Staff sought additional advice from the DoP (Great Southern) who confirmed that the WA Planning " .. Commission previously determined that it had no role to play in endorsing the Waterfront S plan, so it's purely a Council decision."
24	Network Manager Main Roads WA – Great Southern Region Chester Pass Road ALBANY WA 6330	24a 24b	Main Roads agrees in principle with the proposed Modified Structure Plan but would like to make the following comments regarding the document. Main Roads needs to maintain the integrity of Princess Royal Drive as a major heavy haulage route operating on a 24hr−7 days/week basis servicing the Port Precinct. The Precinct Plan acknowledges that Princess Royal	The submission supports the revised plans. The Precinct Plan at Part 18.0 'Traffic Noise' deals with traffic/train noise impacts and requires the design of any building incorporate measures to reduce the noise levels to acceptable levels.

CITY OF ALBANY TOWN PLANNING SCHEME No. 1A

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			Drive is the main access to the Port and therefore requires a significant buffer zone. However, it does not address the 24/7 operation of this strategic road as a large vehicle haulage route to the Port of Albany. Based on SPP 5.4, the developer will need to implement customised noise mitigation measures to achieve the desired internal noise levels.	The Precinct Plan referred to on page 55 has not been altered from the existing plans in regards to access/egress onto Princess Royal Drive and there are no changes to the traffic movement patterns as a result of the revised plans.
		24c	The Precinct Plan has a schematic drawing of the waterfront area (page 55) showing 5 access points into the development. A maximum of only four access points shall be permitted from the development onto Princess Royal Drive as per the WAPC conditions of approval letter dated 18 July 2007.	
25	Geoff & Gillian Longworth 715 Sittella Rtt CHIDLOW WA 6556	25a	Own short-term holiday rental unit in the Foreshore apartments in Proudlove Parade and wish to voice our concerns over the proposed amendments to the above plan.	The submission opposes the revised plans.
		25b	Believe Albany already has more than sufficient short-term holiday rental accommodation which is evidenced by the low occupancy rates.	
		25c	Have excellent views to harbour from unit which would be further reduced by the proposed amendments.	
		25d	The proposed changes will have a negative effect on the income and resale value of our unit and other units, not only in the near vicinity but in the whole of the greater Albany area.	
26	James and Yoshie de Bruxelles 21 Innes Street ALBANY WA 6330 (email submission)	26a	Register concerns about inclusion of high rise buildings within AWF project.	The submission opposes the revised plans.
		26b	As City residents and owners of property on Mt Clarence we are concerned we will lose some of the water views that we have worked so hard to buy. We are against the inclusion of multi-storey buildings in this precinct.	
27	Trevor & Fiona Garland PO Box 5424 ALBANY WA 6332	27a	Totally opposed to the height and mass of the short-stay and hotel accommodation.	The submission opposes the revised plans.
		27b	It is not in keeping with the heritage aspects of the historic Stirling Terrace and blocks views to and from this precinct as well as from high up on the slopes of Mt Clarence.	

CITY OF ALBANY TOWN PLANNING SCHEME No. 1A

ALBANY WATERFRONT MODIFIED STRUCTURE AND PRECINCT PLAN

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No	Name/Address of Submitter	Summary of Submission	Officer Comment
		27c Additional rooms mean a denser tourist population being located on a port access road is dangerous. 27d Visitors should not get the best views while the ratepayers get their views blocked. 27e Does not think it is commercially viable and questions if it will result in higher rates for residents as with AEC.	
28	Liam McCarthy (Albany Podiatry) 290 Middleton Road ALBANY WA 6330	28a Supports the modified structure and precinct plans. 28b Believes the tourism industry needs stimulation to provide flow-on benefits for the City. 28c In addition, the redevelopment will be unable to reach its potential unless a suitable developer can be attracted and for this to occur a commercially viable plan must be approved.	The submission supports the revised plans.
29	Tracey Cinavis-Prosser (Perth Convention Centre) (email submission)	29a The AEC is a great venue which could easily accommodate a sizeable conference but the lack of 4 & 5 star hotels is an issue for corporates.	The submission supports the revised plans.
30	Warren Marshall 36 Cliff Street ALBANY WA 6330	30a Makes the following comments: The Report makes much of the concept of 'view' using words such as preserving, reinforcing, and maintaining what presently exists. Here is a summary: • "...thus the View corridor has however been maintained) and an overpass" page 4 • "This harbour View is at the very essence of the Albany experience ..." page 5 • "Views and vistas – Views and vistas of Princess Royal Harbour are maintained through View corridors ..." page 7 • "To enable local Views to be maintained ..." page 8 • "Preserving existing View lines has been a major determinant in the planning of the Albany Waterfront." page 10 • ".. because each defines a View which must not be blocked." page 10 • "... a View shed to Princess Royal Harbour occurs which begins to define ..." page 10	The submission opposes the revised plans.

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		• "This View shed determines the maximum building heights to the western edge of the development." page 10 • "The Spencer Street View corridor should be reinforced ..." page 11 • "... preserving Views to Princess Royal Harbour." 6.6 page 40 • "In order to maximise Viewing potential from Stirling Terrace ..." 11.1 page 43 • "The View corridor aligning with Spencer Street 11.2 ..." page 43 • "... minimise interruption of Views from Stirling Terrace." 11.3 page 43 • "... breaks in buildings fronting the Promenade to provide View corridors to the marina." page 45 • "Permanent View corridor between Accommodation and Commercial Precincts" page 45 • "The Spencer Street View Corridor" page 72.	
		30b Whilst it is strong on its idealistic rhetoric commitment to views it is weak on its practical commitment to and application of these ideals. With a heavy emphasis on a west east orientation the development will destroy the very views it seeks to protect and only those people who live near the summits of Mt Clarence and Melville will not have their views destroyed. Stirling Terrace which has been for 150 years linked in time and place inextricably with the foreshore and the water/ harbour will now be cut off from the harbour by a mini city of suburbia with few if any endearing attractive qualities. Even the report acknowledges that additional buildings will detract from the AEC and so need to be designed so as to ensure primacy of the AEC. If these very buildings will detract from the AEC it is a given that they too will detract from the harbour and water presence felt and enjoyed by so many residents and people immediately to the north. The schematics show block structures not dissimilar to other built modern boxes within close proximity to the AEC, with a narrow view corridor so as to satisfy the developer's commitment to the ideals of view maintenance and a half hearted attempt to appease the Albany resident. No	

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		matter what massaging with roof form occurs they will be little more than an agglomeration of boxes separating the heritage from the water and the people from the water. The footbridge overpass used to link the people and the water, now it is proposed to link the people with boxes, a hotel box, and a retail box, an apartment box, all sterile entities. The hotel and apartment precincts have no endearing qualities in themselves as structures, in their location and in their orientation and in their primary use. Raising the height of the Hotel short stay from four to six floors pays scant regard to what the report preaches and is a breach of the agreement with the people of Albany.	
		30c There is a supposition in the report that the AEC as an entity is an object of desire and a thing of beauty, something to be desired and admired. Even if it were the case, part of its quality derives from its very proximity to the harbour and water. In protecting its need for primacy, the AEC is accepting that the hotel and retail development will detract from the AEC's need for presence and bearing, hence these structures cannot be as imposing. Given no hotel development adjacent to the AEC can satisfy what the AEC has attempted to achieve, a primacy development in harmony with the water simply because it stands on its own, then the remainder of the development is simply going to be an extension of suburbia and a blot on the landscape, not dissimilar to the CBH silos, mere storage facilities. The hotel apartment and retail area will not be an architectural masterpiece because economics will simply preclude this. Green roofs indeed? Who is kidding who? Hotels, unless in the super rich playgrounds of Abu Dhabi, are built to strict formulae. With height and area restrictions this will simply not be feasible and the excesses of the past, the building and maintenance costs of the AEC, will not be re-visited on this piece of land. The only reason the AEC got up was because it was government money committed at a time when largesse was 'god'. Would Landcorp build the remaining development as proof of their belief in its sustainability/ viability? No way. If they are so confident of their plans let them build it as required in the report and turn a profit	

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		because the private sector will not. What then must be the element of primacy in this development? The water and the harbour and not a series of concrete boxes. 30d Given that the CoA has accepted the underlying tenets of this development with respect to the definition and exemplification of the concepts of views, of view corridors, of view sheds and of view lines, it is now incumbent on the City to adopt these same principles for all development in the City. I therefore request the CoA to prepare a report like the City of Bunbury has done enshrining these concepts in their local planning laws. If it is good for the goose, the AEC, it is good for the gander, the people of Albany. "One of Albany's treasures, its scenic beauty is as a consequence of its natural topography; that is the City's unique character is as a consequence of the inherent views/ vistas that are available to so many residents. I remain worried that it may be some time before the City can formulate a formal policy like the City of Bunbury to recognise, protect and enhance this much valued aspect of the City's character. Arguably Albany is even more favourably blessed than Bunbury, and consequently even more demanding of this type of protection. 30e *Is it therefore possible/ even desirable as an interim measure to have an interim policy/ set of guidelines structured around the concept of view sheds and view corridors (to strengthen what you have already managed to achieve)?* That in considering a development application, in addition to assessing the application in light of the prevailing Codes and City policies/ guidelines, the City may require the applicant to demonstrate that the application will not have an adverse or deleterious impact on any prevailing/ existing views especially where it can be demonstrated that an existing view shed or view corridor contributes either significantly or positively to the identity of the City and or the character of the immediate area either adjacent to, adjoining with, contiguous with or in close proximity to	

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			the proposed development. There would be the need to define view shed and view corridor, and perhaps also what constitutes 'immediate area'. The guidelines would need to mesh with existing policies and Codes so as not to contradict either. *For example, could a development on the low/ south side of Festing Street still 'block out' a pre- existing view shed or corridor of the harbour from the northern high/ side of Festing Street even if the City's TPS and the "R" codes are enforced, that a statement as above would then assist in protecting the view?* The ability to view the harbour could be determined to be a significant view shed and one that contributes to the historical identity of Albany." (Correspondence with CoA October 2010)".	
31	Kate Lown (email submission)	31a 31b 31c 31d	Supports the development of the hotel facility adjacent to the AEC. Albany cannot currently meet the demand for regional conference business rotating around Australia. To meet this need, Albany needs a 150 room hotel of 4 – 5 stars. The design of the hotel is critical with consideration given to size and access of foyers, ceiling height, door sizes (to allow for equipment deliveries), power lighting, sound etc to make the AEC/Hotel package desirable for conference planners. Proven that commitment to meeting/function/hotel facilities generates good economic outcomes as in the example of the Perth Convention Centre.	The submission supports the revised plans.
32	Malcolm Adamson (Dealer Principal) Albany World of Cars (email submission)	32a 32b	Express my total support to the modified structure and precinct plans. Believes Albany is in absolute need of a 4 or 5 star hotel and the waterfront is perfect site. Will encourage other trade dealers to have conferences held in Albany, rather than Perth.	The submission supports the revised plans.

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		32c	Would encourage more tourism in Albany.	
33	Cameron Bergsma (Director) Jaguar Cabling (email submission)	33a	As a local business owner, supports the plan as it is in the best interest of the local economy to invest in infrastructure to attract both interstate and overseas visitors.	The submission supports the revised plans.
		33b	Believes Albany currently lacks quality accommodation.	
		33c	Allow us to showcase our city to the world while allowing businesses to reap the rewards.	
		33d	Will help accommodate the many visitors that are anticipated during the ANZAC celebrations and will raise Albany's profile.	
		33e	The AEC is a landmark and functional asset, however it's important to back up its intrinsic value with suitable accommodation, restaurants and shopping facilities of the same calibre.	
		33f	Will create employment opportunities.	
34	Nathan Hadlow (Managing Director) South Coast Insurance Brokers WA 93 Earl Street ALBANY WA 6330	34a	Supports the modified plans.	The submission supports the revised plans.
		34b	Advise their business and dwelling on Earl Street overlook the marina complex and hotel site.	
		34c	Encourage proceeding with the changes on this site asap.	
35	Rod Vervest 64 Spencer Street ALBANY WA 6330	35a	Here are my reflections on the waterfront plan: The Waterfront modifications are driven by the desires (some call it advice) of developers basing their notions on what is viable for Albany in the "current" economic climate. What happens when that economic climate changes as it most certainly will? Where are the buffers that protect Albany from one-dimensional, speculative development by people who do not have to live with it into the future or ultimately carry its cost? Or are we staring at an unparalleled success – a development that is lauded around the world as a project hallmarked by creative design, engineered functionality and a sustainable future? I can sense that it is not. Whilst the whole basis of development is driven by speculation there is no alternative other than to create hideous architecture that gives the best chance of return.	The submission opposes the revised plans.

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		Speculation and chance is not something I think we should gamble lightly when it comes to our foreshore. We have already taken one almighty gamble. I assume the premise in all this is that all the gambling hopefully amounts to one big win. Where is the evidence for that? Are we stuck in someone else's game? Miniscule, more-often empty boxes stacked on top of one another and surrounded by soulless bitumen car parks collect the dust and detritus of failed visions all around the country. Take a walk along Geraldton's "vibrant" waterfront to get a feel. Much of it is windswept, concrete wasteland punctuated with desperate bits of public art that are supposed to somehow give the place energy and hope. Funny how we turn to art in times of need. Why did we go all out to create an "iconic" piece of architecture in the AEC, (as opposed to a broadly functional/flexible venue), to then make a total mockery of it with generic, tilt up concrete boxes. Because there is confusion and no real vision for the foreshore. There is confusion and misrepresentation in the language of the proposal. It is all very well to use words such as, "computer graphics show a moderate height difference….partly due to a reconfigured roof design" and expect that we all blandly accept that because a computer says so. But the reality of this is that the actual bulk of this modification is massive. It has to be, to make it "viable". Maybe this whole thing is NOT viable! By the way, it is not one or two conventions a year or ANZAC day 2014 that will make it viable either. This is wishful thinking. My arguments will carry no weight whatsoever. They will be labelled "passionate" and binned as anti-development but I would urge whoever is making decisions to at least try and give some thought towards real design, creativity and sustainability. Do some research around the world and look for creative developments that have some sort of flair and imagination – something that speaks to the	

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			amazing harbour we live on – something that is passive and not alien to the things that we love about Albany; it's setting amidst natural wonder. We must value this above everything else because it is where our true edge in the world is and if it costs more, challenge those who are building it to exercise responsibility and invest in it."	
36	Janette Kostos PO Box 5153 ALBANY WA 6332 (email submission)	36a 36b	Supports the modified structure and precinct plans. Albany needs this addition to our tourism options and the capacity to host conferences of significance will enhance the AEC.	The submission supports the revised plans.
37	Sally Malone (Designer) PO Box 5667 ALBANY WA 6332	37a	I am not privy to full documentation and so some of my comments may have already been addressed. I would like to make the following points: **Commercial Viability** – would have preferred some information was included demonstrating the need for the changes. Asks for reassurance that the building is not being 'super sized' beyond what would make it a viable option for proponents. **Guarantee of Development** – a partly built and abandoned hotel on our foreshore would be a disaster of monumental proportions and we need to be realistic about the risks. Given our experience at the Esplanade site and the current highly volatile global economy, is the City able to require that the Developer – or State Government – underwrite or insure the development against such a contingency? **Urban Design** Decked Carpark The new decked car park has several advantages. It will screen service areas, allow a landscaped surface over the parking area, improve the outlook from the rooms facing north and reduce the amount of asphalt on view from Stirling Terrace. However I would like the following to be addressed, either in an adjustment to the Precinct Plan (PP) or in development guidelines. The northern edge of the deck will face the city and Princess Royal Drive. While the PP states; "Provision of an attractive, open and consistent streetscape to Princess Royal Drive" is required, this is a somewhat open statement. A view to concrete columns, a grey undercroft space and uninviting	The submission supports the revised plans. The matters raised have already been dealt with on the Structure/Precinct Plans. The Precinct Plan at Part 14.0 requires a continuous 2m wide landscaping strip be provided between the road reserve boundary and any car parking area facing Princess Royal Drive. It is acknowledged that the treatment of this area/facade is important given its visually prominent position directly facing the CBD areas. Staff agrees the landscaping proposed for the car parking roof should not be restricted to 'ground covers only'. It should include larger species including shrubs and trees. Given the additional building height and rooms being made available within the development as a result of these revised plans, the decked car parking area should: • Be planted with local species including groundcovers, shrubs and trees, • Form part of the overall stormwater treatment system for the development, and • Be made available for use by the patrons and visitors to the hotel/apartment buildings by including paths, seating, lights etc. The development will always provide some

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		parking lots will not add to the visual quality of the site, or the pedestrian amenity. Simply tilting-up concrete screening walls is not a solution either. The northern face needs to be treated so as to be an articulated, landscaped, well lit and attractive frontage. In addition, the concepts seem to indicate no pedestrian access along this northern frontage, whereas we know AEC patrons will be moving across this northern face to reach events. Proper linking footpaths with pedestrian friendly (or pedestrian priority) cross-overs at entries into the undercroft carpark and a high amenity value along this route need to be required of the developer. The Promenade should remain the primary pedestrian route, but this secondary route also needs to be accommodated. **Building Height** – The proposed additional height appears to result in a building which will rise 20m vertically from the pavement in some locations, albeit with some 'light' awnings. If the aim is to create a pedestrian friendly environment along the waterfront, consideration needs to be given to pedestrian scale. Vancouver (Canada) addresses this issue by requiring a 'podium' style design to high-rise buildings. That is, after the first or second storey, subsequent floors are set back so that they don't overshadow the pedestrian and give users an environment at ground level which is more finely grained, activated and of a scale that is comfortable for pedestrians. If this requirement has not already been incorporated into guidelines and building envelopes, I would like to recommend it. **Building Grain** – The PP makes mention of materials and finishes, I would like to stress again the need for quality details, a local vernacular and a narrative that reflects our heritage, environment and the maritime location. I can't emphasise enough how important these details are in both the building and its setting, and at a scale that can be appreciated by pedestrians. **Landscape** – The drawings mention the use of 'ground covers only' in the deck area. I would like to make an argument for more variety than this. Most plants grow in the top 1m of soil only, even many trees. Planted decks	shadowing of the Promenade area along the harbour waterfront. It is acknowledged that overshadowing should be kept to a minimum through appropriate design of the buildings.

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			can be accommodated in relatively shallow soil depth, at least as much depth as would be used in the proposed pool on the deck. This site will be north facing, sheltered from the south westerly wind and highly visible from the city; it represents an ideal location for an outstanding garden. In addition, if proper dieback measures are used, plants can be grown here that landscapers are now reluctant to use at ground level all over the State – such as our own red flowering gum and Banksia species which are iconic to this region. Restricting the landscape to paving and groundcovers only will be a missed opportunity. **Conclusion** While I am disappointed to see an application for a larger and higher building than was originally proposed, I take the pragmatic view that the images prepared by LandCorp appear to show a modest level of increased impact on the streetscape, which balanced against the potential for the site to remain vacant for the foreseeable future is the lesser of two evils. I would also like to be reassured that all the extra height is actually needed, a little more detail on the financial modelling, written for the general public, would have been helpful. My final suggestion would be that the City does not 'trade' this relaxation for nothing. High quality building stock, well designed public spaces, proper pedestrian links, adequate night time lighting, and activated shops and spaces at ground level are essential and should be 'a given'. There may be something else the City would like? Maintained shower facilities for the sailors in the Marina, storage space, coach parking? I'm not sure, but this is your opportunity to put your case. Most cities would not allow development relaxations of this scale."	
38	Andrew Bell (Translator/Project Manager) Creative Input (email submission)	38a 38b	I voice my support, as an ACCI member for the proposed changes. Thanks for the good work and positive attitude and am very keen to see it succeed.	The submission supports the revised plans.
39	Andre	39a	Agree wholeheartedly with this plan and urge Councillors	The submission supports the revised plans.

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	(Edengate Estate) 685 Eden Road YOUNGS SIDING WA 6330 (email submission)		to approve this plan asap.	
40	Hayley Lawrence (Director) Radiant Being (email submission)	40a 40b 40c 40d	Supports the modifications Positive vision for Albany. Greatly augment the marketing opportunities available to Landcorp Will help ensure Albany is marked on the Australian Tourism map as without such levels of accommodation, we cannot service and cater for all requirements.	The submission supports the revised plans.
41	GP Hill 49 Tyers Road ROLEYSTONE WA 6111	41a 41b 41c	Objects strongly to the proposed development and our residence is 22 Frederick Street: hence we and many others in this general locality have our viewscape significantly impacted by the proposed development. Have never been in favour of the original proposal and therefore object quite strongly to the proposed increase in height. It seems the CoA is dead set in obliterating the view of the waterfront adjacent to the AEC. It is difficult to believe that many will favour the proposal and would appreciate advice on the support, or lack of it in quantitative terms. I would like to know the numbers in support/opposition and also, if Council decides to go ahead, what is the basis of the decision.	The submission opposes the revised plans.
42	Rob Wignall (Managing Director) Wignalls Wines PO Box 248 ALBANY WA 6331	42a	Both support (wife and I) the updated views on accommodation adjacent to the AEC.	The submission supports the revised plans.
43	Customer Service Officer Connections Administration Western Power Locked Bag 2520 PERTH WA 6000	43a	No objections to the changes proposed.	Nil.
44	Department of Water PO Box 525	44a	Assessed and no comments.	Nil.

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	ALBANY WA 6331			
45	Rob Edkins (Chief Executive Officer) South Coast NRM 39 Mercer Road ALBANY WA 6330 (email submission)	45a 45b	Offers their strong support for the modifications. Will increase Albany's conference facilities, make Albany more desirable, and will help Landcorp attract a suitable developer.	The submission supports the revised plans.
46	Vera Torr (email submission – part 1)	46a	Objects to proposal as follows: "DUTY OF CARE" To the Port of Albany. Esperance. The CEO of the Port of Esperance recently appeared on TV after asking for 124 million dollars to upgrade their port, with the statement that **their top priority** in the upgrade was to **"separate the local traffic from the transport traffic".** The transport corridor must be freed from impediments as this was vital to the ports functioning ability. Geraldton has just done a magnificent upgrade of their foreshore by relocating transport infrastructure and securing safe access to their port. Albany had already done this many years ago and with the advent of the ring road would further secure that strategy. (10 million spent so far on Menang Drive).So we are now transposing from progressive to regressive. **To the existing tourist accommodation providers.** I believe the CEO of the ACCI is currently on the consultative committee and ask why consideration of the economic effect on local businesses has not been highlighted. The economic ramifications may well be too great for the smaller operator to survive. What case study has been initiated to investigate this situation? **To sustainability.** What factual data has Landcorp gathered to ensure that	The submission opposes the revised plans.

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		an increase in building structures and heights will be sustainable? The idea that it will attract an investor is fine but where is the data that says it will not become yet another languishing tourist development awaiting council approval to convert the units to private residential apartments. I object to both tourist and residential as both will create traffic impediments to the port. There is much flapping about the amount of enquiries for convention facilities but there has never been any hardcore evidence that Albany will be chosen to the extent that will cause this project to be self sufficient. It is talk only. **DESIGN QUALITY** Ms McTiernan in July 2005 said the "iconic" AEC was relocated to the foreshore for the purpose of attracting other developments. The proposed development falls far short of "iconic" and the AEC to date has not attracted other developments. I believe we were told that people would come in droves to see our "iconic" AEC and perform in our "iconic' AEC. But this also has not happened. There are not enough seats. **ROOF DESIGN**. Sod roofs are the answer. Where are the solar panels and the passive energy? **SHADOW** This building will put a permanent shadow to the south side of the building. Where is the sunny aspect for the boardwalk and the marina? **VIEW CORRIDORS** In 2007 Ms McTiernan voiced her distaste for the montage presented by the public. She was having view corridors and therefore the montage was a disgrace. We are getting closer to the disgraceful outcomes shown by the montage. In fact we will exceed the montage. **SUMMARY**	

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			The promises of something like Hillary's or Ms McTiernan's mirage of a tourist mecca inside a working port zone are myths. Cape Town does not have a working port near the tourist zone and Hillary's does not have great looming buildings excluding the locals from their own foreshore. Well it is afternoon tea time. I have done my public duty and put in my submission with the full knowledge that even if I presented a diagrammed plan and full scientific studies to say this development is so wrong for Albany you would be loathe to identify with the concept. Something happens to a community when people are excluded. Passion turns to dispirited energy and apathy. That the Government is going to throw this land at a developer cheaply and destroy land of high bio-diversity conservation value at Emu Point to re-coup costs is plainly gross. They have clearly miscalculated the foreshore development and are asking us to exceed our commitment and bail them out with an uncreative design. A design which undervalues the concept of a marina atmosphere and accessibility. There is a price that Albany will pay – not the Government or Landcorp. I nearly forgot. Who will pay for an INTERNATIONAL AIRPORT as this will be required to fill the proposed accommodation at the hotel? Better to pay $10 million at Middleton and get a decent outcome. I disagree with the additional height and units contemplated."	
46	Vera Torr (email submission – part 2)	47a	Flat roof tops not in keeping with the intention of the Heritage plan. Roofs should have design features even if it does mean adding extra height.	The submission opposes the revised plans.
47	Patricia Ball 12 Muir Street	48a	The proposed change to 6 storey buildings is not acceptable. The original plan should stay. Even on the	The submission opposes the revised plans.

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	SPENCER PARK WA 6330		original plan buildings looked high in relation to AEC and design looks very ordinary.	
		48b	Where is imagination and design that would enhance the existing character of Albany. Design should reflect some of the remaining buildings that still charm and have character.	
48	V. Martinek PO Box 5556 ALBANY WA 6332	49a	Please don't build a "block of flats" to obstruct the harbour and marina views. An option would be to build a "narrow high rise" hotel tower to give views to harbour/town/hinterland.	The submission opposes the revised plans.
49	Maida Bales 188 Frenchman Bay Road ALBANY WA 6330	50a	Definitely no increase to height of buildings. Objects to increase in height due to the economy being the reasons to alter the plans. The project is not viable even if 100 storeys were proposed, a developer would still not be found in the current climate.	The submission opposes the revised plans.
		50b	Short stay accommodation must never become permanent residential whilst the Port exists.	
		50c	Supports vegetation on deck.	
		50d	Commercial precinct buildings should be restricted for marine related businesses.	
50	Linda Woodings 16 Frederick Street ALBANY WA 6330	51a	Landcorp's photo montages are misleading. The photos taken from the Stirling Club place the buildings further west than they really are and make them look insignificant and having no impact on the breakwater.	The submission opposes the revised plans.
		51b	many people are not writing submissions because of the history of the development and believe they will be ignored.	
		51c	Objects to the increase in height of the short-stay accommodation and suggests that if supported, Council will be contravening the State Coastal Planning Policy 2.6 section 5.3 on height of buildings and overshadowing the foreshore.	
		51d	Increasing the heights will also result in Council ignoring the Stirling Terrace Conservation Plan commissioned in 2001. *"Control needs to be exerted over future buildings*	

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			and structures, which may be required in Stirling Terrace and on the land around the railway station, bond store and foreshore. Future development should not detract from the significance of Stirling Terrace, nor obscure views and vista, and approaches along the Terrace itself."	
		51e	Doubts the viability by increasing room numbers.	
51	Theressor Webb RMB 8521 Chester Pass Road ALBANY WA 6330	52a	Does not agree with motels in this position at all.	The submission opposes the revised plans.
		52b	It is a road train route to port.	
		52c	Will destroying natural beauty of views over harbour/water.	
		52d	Tourists come for natural beauty and persona with lots of ugly signs being erected.	
		52e	This survey should be right out front of Library so people can see it and attend to it. Incapacitated and elderly can't get up stairs.	
52	Loretta van Gasselt (Manager) State Strategic Policy Department of Planning 140 William Street PERTH WA 6000	53a	Commends the plan for the inclusion of short stay accommodation with no permanent residential and recommend condition in line with advice in PB83 'Planning for Tourism' restricting the maximum length of stay should be 3 months in any 12 month period to apply to tourism units.	The submission supports the revised plans. Staff agree that the tourist use should be restricted (as is the case with other holiday accommodation uses) to a maximum of 3-months in any 12-month period in accordance with the recommendations of PB83. An additional clause to this effect should be included in the Precinct Plan at Part 24.0 'Short-Stay Residential'.
		53b	Considers the AWF project will provide a positive tourism outcome. The use of public open space, mixed use development, and maintaining views and vistas will help achieve this.	
		53c	They support the modified plans. Advise this is a department al response and does not represent the views of the WAPC.	
53	Colin Tutt (General Manager Operations) Co-Operative Bulk Handling Ltd GPO Box L886 PERTH WA 6842	54a	Make the following comments: Whilst supportive of local community development, have some concerns this development may have on port operations and haulage corridor to the port. Concerned about potential constraints this development will have of vital port operations (i.e. noise, traffic, rail movements, dust and other associated port related uses).	The issues raised have been dealt with and resolved previously through the development of the Concept/Structure and Precinct Plans. The Precinct Plan at Part 18.0 'Traffic Noise' deals with traffic/train noise impacts and requires the design of any building incorporate measures to reduce the noise levels to acceptable levels.

CITY OF ALBANY TOWN PLANNING SCHEME No. 1A

ALBANY WATERFRONT MODIFIED STRUCTURE AND PRECINCT PLAN

SUMMARY OF SUBMISSIONS

No	Name/Address of Submitter	Summary of Submission	Officer Comment
		54b Port Road and Rail Corridors – Increased traffic movements and safety. It is important to ensure that in any traffic management reporting that consideration is given to CBH's peak harvest movements and rail operation times.	There are no changes to the existing plans in regards to access/egress onto Princess Royal Drive and there are no changes to the traffic movement patterns as a result of the revised plans.
54	Elizabeth Barton 45 Carbine Street ORANA WA 6330	55a There are several issues with this proposal: 1. Like the original plan goes against the City's heritage listed conservation plan for Stirling Terrace. 2. No written evidence from Landcorp that the community wants high rise development and previous petitions, surveys and submission have been ignored by Council. 3. No evidence that at 6 storeys there will be any interest by developers. Does this mean Landcorp will be back in 12-months time? 4. Believes the information Landcorp has given about the location and impact of the buildings from the Stirling Club are not accurate. 5. Landcorp representative advised views to hills on other side of the harbour would be visible. What about the water in the harbour? 6. Even though AEC is built, City should work with the Heritage Council to preserve Stirling Terrace and the unique views that still exist. 7. There are Councillors and Mayor that are aware that the general community do not want this development and that it is being driven by business community, Landcorp and State Government. There should be another survey like the one done by the City in 2000 to get the feel of the community and Landcorp should contribute to the funding of the survey. 8. Would the Middleton beach hotel development gone ahead if there hadn't been the announcement of a proposed 5 star hotel in the foreshore? Albany definitely cannot sustain more than one 5 star hotel.	Both Stirling Terrace and Town Jetty are included on the State Register of Heritage Places, which is highest status for heritage places in WA. The HCWA have assessed the revised plans in the context of these places and have advised that they will have a minor impact and do not object to the proposal proceeding.

CITY OF ALBANY TOWN PLANNING SCHEME No. 1A

ALBANY WATERFRONT MODIFIED STRUCTURE AND PRECINCT PLAN

SUMMARY OF SUBMISSIONS

No	Name/Address of Submitter	Summary of Submission		Officer Comment
			Believes that whilst Landcorp is proposing this development it is stifling development in other areas that would be more suitable.	
		55b	Urges Councillor and Mayor to have a good look at the information given by Landcorp and vote against the height increase. Is it really appropriate to ruin our unique views? If worried about accommodation for 2014/2015 why not try and encourage other developers that the City has already given approval.	
55	Chris Robinson 5 Festing Street ALBANY WA 6330	56a	Does not support the increase in additional area proposed for short stay accommodation as this will have a significant, if not serious impact on these existing holiday apartments businesses in Albany.	The submission opposes the revised plans.
		56b	The AEC is an architectural icon and therefore the bulk of any new development should be directed away from the AEC towards the wheat silos. The form is bland and I would better have more texture to the built from, but move it away from the AEC.	
		56c	Carpark should not be covered; this will detract from the visual aspect of the area from town. Landscaping and extensive use of trees would make a much greater contribution to the visual landscape.	
56	Sean Henley 20 Clifton Street LOCKYER WA 6330	57a	Objects to the proposed height increase.	The submission opposes the revised plans.
57	Julia Mitchell PO Box 5068 ALBANY WA 6332	58a	Objects to any increase in height.	The submission opposes the revised plans.
		58b	The last thing needed on our beautiful foreshore is a large block of apartments or hotel rooms. If City is so concerned about accommodation for the 2014 ANZAC influx – should have opposed the destruction of the Esplanade.	
		58c	Leave the plans for the hotel, apartments and commercial buildings at their original height.	
58	Naree Ashford 91 Douglas Drive	59a	Strongly objects to any height increase for buildings at the foreshore.	The submission opposes the revised plans.

AGENDA ITEM 2.1 REFERS

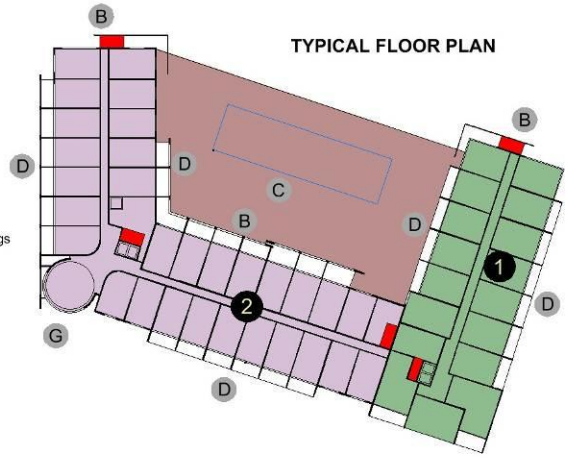
CITY OF ALBANY TOWN PLANNING SCHEME No. 1A

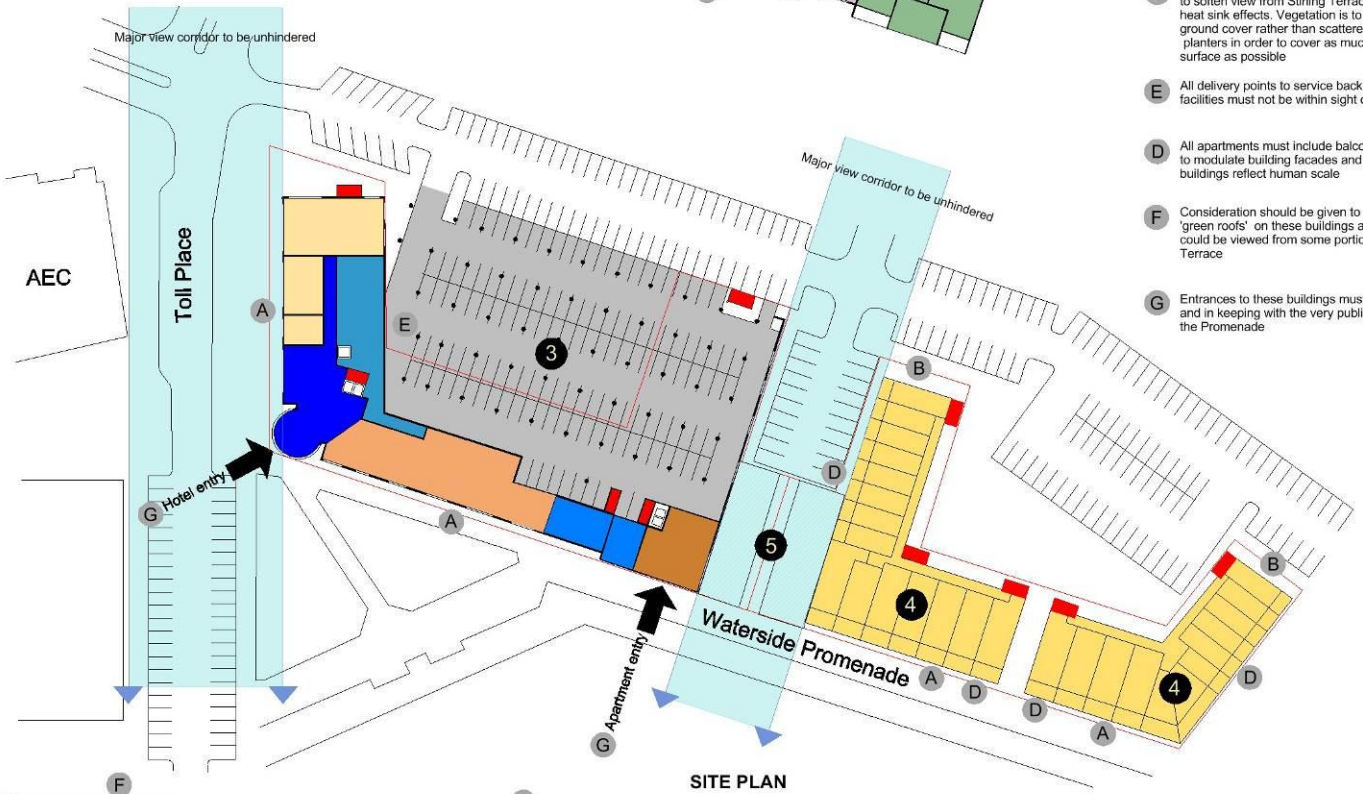
ALBANY WATERFRONT MODIFIED STRUCTURE AND PRECINCT PLAN

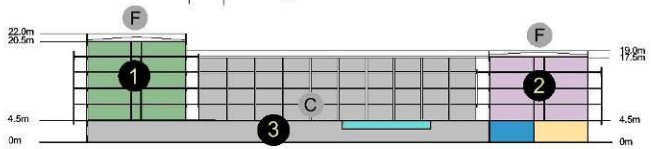
SUMMARY OF SUBMISSIONS

No	Name/Address of Submitter	Summary of Submission		Officer Comment
	MILLBROOK WA 6330			
59	Mr SP Webb 20 Clifton Street LOCKYER WA 6330	60a 60b	Objects to the proposed height changes. The uniqueness of the waterfront precinct should be beautiful and protected – not despoiled for commercial development or gain.	The submission opposes the revised plans.
60	Sue Smith 22 Hiam Street BAYONET HEAD WA 6330	61a 61b	Not another Gold Coast please! How unsightly that is! Keep Albany unique instead of following the path of general development encompassing big $'s.	The submission opposes the revised plans.

Hotel Lobby
Amenity area on covered parking
Meeting rooms
Approximately 400m2 shown
Apartment lobby
Back of house
Short-stay apartments on five floors
(60m2 average apartment size shown)
Hotel rooms on four floors
55m2 average room size shown
Covered parking
Egress points
Tavern, bar, restaurant
Approximately 500m2 shown
Short-stay apartments above commercial mixed-use buildings



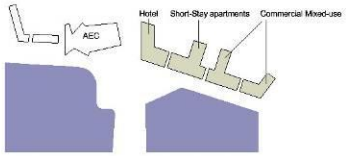




EAST WEST SECTION

SITE PLAN

NOTE: It is not intended that the plans shown here are to be replicated by a future owner/operator. The aim is to show what is possible and the extent of changes being proposed to the Structure Plan. Future development of the site will be required to follow these guidelines and maintain, approximately, the building footprints shown.



DEVELOPMENT GUIDELINES

A All building frontages to maximize glazing and allow for visual permeability and where appropriate should flow out to encourage public activity at promenade level

B All building ends facing Stirling Terrace are to maximize glazing and use of balconies in order to articulate and 'enliven' these building faces

C Maximize vegetation on deck over parking area to soften view from Stirling Terrace and to reduce heat sink effects. Vegetation is to be in the form of ground cover rather than scattered trees in planters in order to cover as much of the paved surface as possible

E All delivery points to service back of house facilities must not be within sight of Stirling Terrace

D All apartments must include balconies in order to modulate building facades and ensure buildings reflect human scale

F Consideration should be given to using 'green roofs' on these buildings as they could be viewed from some portions of Stirling Terrace

G Entrances to these buildings must be well defined and in keeping with the very public nature of the Promenade

SUMMARY

Buildings within the Accommodation and Commercial Precincts of the Albany Waterfront Development are proposed to be increased to enable a higher development yield to occur. This is in response to feedback from potential operators/owners who advise the current capacity of these buildings is too low for viable operation.

The following increases to the Hotel, Short-stay Apartments and the Commercial Mixed-use buildings are proposed:

Increase Short-stay Apartments from four to six floors
Increase Commercial Mixed-use buildings from two to three floors

These height increases result in the following:

120 to 145 hotel rooms
134 to 144 short-stay apartments
A GFA increase from 16,600m2 to 24,050m2

	Current	Proposed
Hotel building	7,500m2 GFA	10,500m2 GFA
Short-stay apartment building	4,600m2 GFA	6,800m2 GFA
Commercial Mixed-use building	4,000m2 GFA	6,750m2 GFA
Car parking	700 bays	792 bays

PROPOSED CHANGES TO STRUCTURE PLAN

1 The short-stay apartments in the accommodation precinct increased from four to six floors. This increase will take the GFA from 4,600m2 as noted in the Structure Plan to 6,800m2. The configuration shown here is capable of providing 80 to 90 short-stay apartments depending on mix of apartment sizes.

2 The hotel portion of the accommodation precinct is shown here as a continuous building adjoining the short-stay apartments. The footprint shown produces a hotel with a GFA of 10,500m2 which is 3,000m2 larger than the estimated hotel area noted in the Structure Plan. The hotel in this configuration is capable of providing 120 to 145 rooms depending on the mix of room sizes.

3 Covered parking for 130 cars can be provided on this site. There are presently 38 car bays in this area which have reciprocal use arrangements and must maintain this status. The additional 92 bays will be for the exclusive use of hotel and short-stay apartment guests.

4 These two buildings in the commercial precinct are increased from two to three floors provided the top floor is used as short-stay accommodation. These buildings are designated mixed-use in the Structure Plan. Their approximate GFA is currently 4,500m2 which will increase to 6,750m2 with an additional floor. As a mixed-use development the current building would require 150 car bays. If the development became mixed-use at ground level and short-stay apartments above the car bays required would reduce to approximately 130 bays, depending on the number of apartments (54 apartments are shown as only a suggestion of potential numbers).

Mixed-use at ground level may be concentrated to the waterside promenade and the rear portions can be ancillary to the short-stay apartments. No apartments are to be at ground level

5 The area between these 2 buildings is to be used for public purposes and cannot be built upon

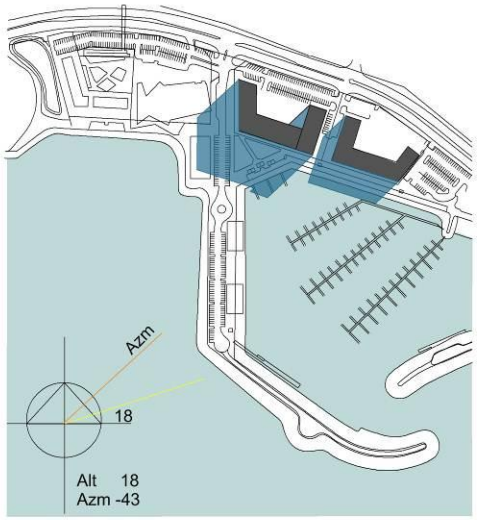
PROPOSED CHANGES TO THE ALBANY WATERFRONT STRUCTURE PLAN

0m 50m 100m

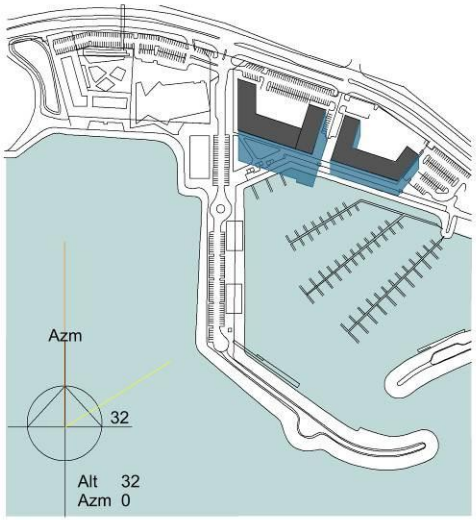
July 22 2011 Revision D

LANDCORP

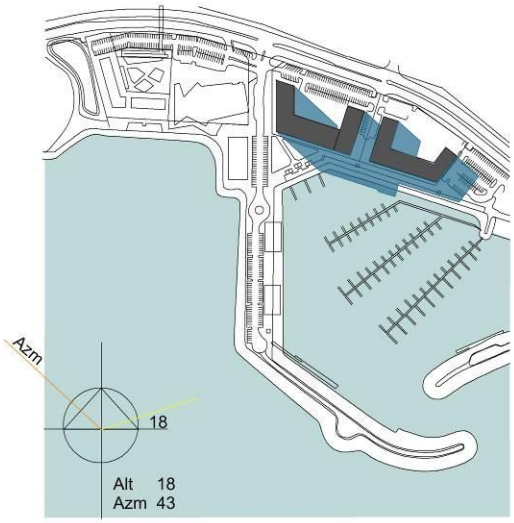
9.00am June 21



Noon June 21



3pm June 21



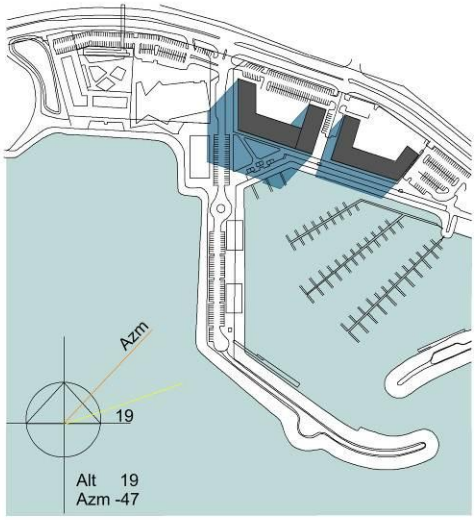
Albany Waterfront 35 deg South Mid Winter

LANDCORP

This shadow study produced at the request of the City of Albany. The diagrams show that shadows cast during summer and winter have a negligible impact on the shoreline.

At 35deg South the sun's path differs little between summer and winter.

9.00am Jan 21



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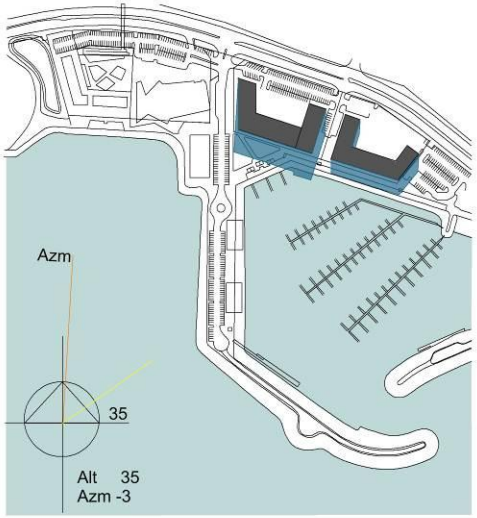

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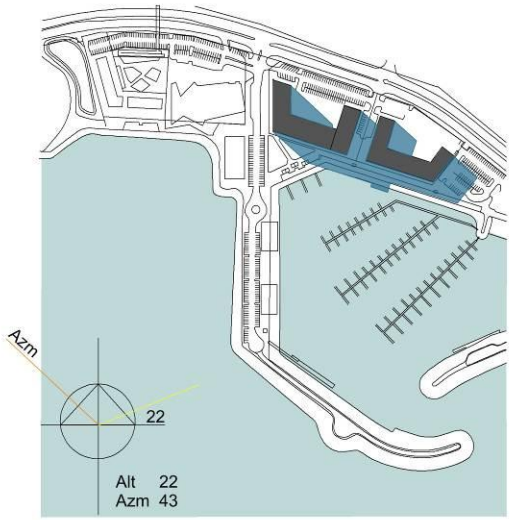


Albany Waterfront 35 deg South Mid Summer

Study date 18 July 2011

SHAPING OUR HABITAT

URBANIX DESIGN

urbanixdesign.com.au

VIEW FROM PEDESTRIAN BRIDGE

Above - Possible development scale currently achievable

Above - Possible development scale under proposed amendments

The following series of images show the mass and scale of buildings achievable under the current approved development framework compared with the mass and scale achievable under the proposed changes. Please note that the purpose of these images is not to convey building design. The actual appearance of these buildings will ultimately depend on the individual developers who will be required to develop buildings in accordance with the Precinct Plan design guidelines.

VIEW FROM STIRLING TERRACE

Below - Possible development scale currently achievable

Above - Possible development scale under proposed amendments

VIEW FROM STIRLING TERRACE

Below - Possible development scale currently achievable

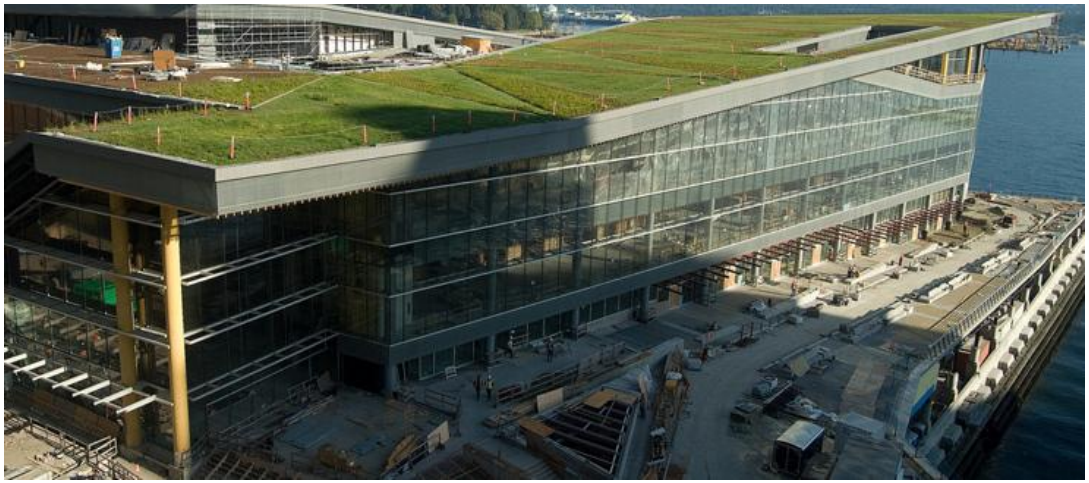
Above - Possible development scale under proposed amendments

VIEW ALONG THE SPENCER STREET VIEW CORRIDOR

Below - Possible development scale currently achievable

Above - Possible development scale under proposed amendments

Precinct Plan Report



The use of green roofs is encouraged if suited to future proposed developments. These images show how green roofs provide softening to large roof areas.

PUBLIC OPEN SPACE SCHEDULE

Lot No	Lot Area	POS/Drainage	Drainage	POS Less than 50% Drainage	Variation POS
30	7.51 Ha	5420m²	2500m²	4170m²	-3340m²
31	8.19 Ha	11268m²	1600m²	10468m²	+2278m²
32	8.34 Ha	11024m²	Nill	11024m²	+2684m²
33	8.15 Ha	6362m²	1100m²	5812m²	-2338m²
34	8.03 Ha	4248m²	2250m²	3123m²	-4907m²
35	6.22 Ha	6950m²	1400m²	6250m²	+30m²
Sub Totals	**46.44 Ha**	**45273m²**	**8850m²**	**40848m² (8.8%)**	**-5592m² (1.2%)**

RANGE ROAD CROSS SECTION
(including service road)

DEVELOPMENT REQUIREMENTS

1. Catalina Road and Hudson Road will need to be constructed to an urban standard at the time of subdivision, including drainage to be piped, road to be kerbed and road surface to be upgraded.
2. Pathways within the ODP area shall be required as follows:-
   - A 2.5 m shared path along Hudson Road and Catalina Road;
   - A 2.5 m shared path along each of the connector roads between Hudson Road and Catalina Road;
   - 3.0 m pathways on either side of Range Road;
   - 1.5 m pathways where grouped housing lots are situated to connect to the shared paths; and
   - 1.5 m pathways along all other roads.
3. Parallel car parking bays are to be provided on the edge of the larger public open space areas, generally as depicted on the Plan.
4. Range Road will need to be developed as a two lane sealed road between Hudson Road and Catalina Road, as part of the subdivision under this ODP. Contributions to upgrade Range Road from Target Road to Catalina Road to a higher standard in future (ie. 4 lanes) will be required from each subdivider within the ODP area in accordance with an agreed contribution schedule.
5. The 25m width road reserve connecting Catalina to Hudson Roads will need to be designed in a manner that ensures retention of the mature trees along the eastern side
6. All lots interfacing with industrial land to the west will be subject to a detailed area plan requirement, which shall stipulate as a minimum: a 2.0m high masonry wall to the rear boundary; a 15m rear setback requirement for all dwellings; and notifications on titles advising of the adjoining land use. All such measures are to be certified by an acoustic engineer to satisfactorily protect the amenity of future residents.
7. All R30 and R40 areas shall be subject to a Detailed Area Plan requirement, particularly to ensure appropriate interface with road reserves, public open space and pedestrian networks
8. Other than for super-lot subdivision, P.O.S area shall be given up as part of the initial stage of subdivision on each lot. Cash-in-lieu shall be paid for any shortfall in P.O.S, whereas P.O.S that exceeds the 10% requirement shall be set aside as a separate P.O.S lot for acquisition.
9. With respect to Lot 34 and 35, no subdivision shall be supported on these lots until an alternative school site has been endorsed within the Yakamia District Structure Plan.

OUTLINE DEVELOPMENT PLAN

Lot 30 - 35 Catalina Road, LANGE

DYKSTRA PLANNING

Subdivision, Rezoning, Structure Planning, Development Planning, Design, Advocacy

2953 Albany Highway,
Kelmscott WA 6111

T: 9495 1947
F: 9495 1946
admin@dykstra.com.au

17 December 2010

N

1:400 @ A3

Figure 3

Notes:
- This document may only be used for the purpose for which it was commissioned and in accordance with the Terms of Engagement.
- The dimensions, areas and number of lots are subject to survey and also the requirements of all authorities.

01136-CDP-F3-101216-E

AGENDA ITEM 2.2 REFERS

CITY OF ALBANY TOWN PLANNING SCHEME No. 3

OUTLINE DEVELOPMENT PLAN (ODP005)

SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
1.	Main Roads WA PO Box 503 ALBANY WA 6330	(a) Development of this magnitude will further inundate Chester Pass Road/Albany Highway Roundabout. An alternative north-south distributor road needs to be built.	(a) This issue has already been dealt with in the ODP. It has been recognised that the development will add additional traffic to Chester Pass Road and that Range Road is a priority road; its alignment and contributions to its future construction have been identified in the ODP.	(a) Noted.
		(b) A new north south distributor road should not be built alongside a school due to safety and traffic flow issues.	(b) It is accepted that a school site adjacent to the intersection of Range Road and Catalina Road would not be appropriate. Refer Submission No. 7.	(b) Refer Submission No. 7.
		(c) A pedestrian overpass should be considered for pedestrians to cross-over Chester Pass Road (eg. to go to North Albany High School).	(c) It is considered that a pedestrian overpass is an unreasonable request given the distance of the subject land from the High School and would not pass the nexus test.	(c) Dismissed.
		(d) The developer is to install intersection treatments at Catalina and Hudson roads to accommodate additional traffic.	(d) There is a condition in the ODP that requires the construction of Catalina and Hudson Roads to an urban standard. The ODP has been designed to divert vehicles to the Catalina Road intersection which has recently	(d) Uphold in part. Point 1 under Development requirements being amended to the following: *"Catalina Road and Hudson Road will need to be*

CITY OF ALBANY TOWN PLANNING SCHEME No. 3

OUTLINE DEVELOPMENT PLAN (ODP005)

SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
			been upgraded. The need for an upgrade of the Hudson Road / Chester Pass Road intersection will be addressed at the subdivision stage.	*constructed to an urban standard at the time of subdivision, including drainage to be piped, road to be kerbed, road surface to be upgraded and traffic calming devices (Hudson Road) to be installed. Treatment of the Hudson Road and Chester Pass Road intersection to be to the satisfaction of Council and Main Roads WA."*
2.	Department of Water PO Box 525 ALBANY WA 6331 *(Most recent letter dated 3rd February 2011).*	(a) The DOW is prepared to accept identified shortcomings in the LWMS for the ODP as long as an UWMP is submitted at the time of subdivision to address the following: • Winter water table levels; • Detailed design of the proposed stormwater infrastructure, and • Details on the management of the POS area, with particular reference to how irrigation will manage post vegetation establishment period when no scheme water is to be used.	(a) Agreed that outstanding matters should be addressed in the more detailed urban water management plan at the subdivision stage.	(a) Uphold. Insert new point 10 under Development Requirements: *"At the time of subdivision, an Urban Water Management Plan is to be submitted addressing the following requirements:* *i. late winter groundwater testing;* *ii. the use of groundwater and/or stormwater (not scheme water) to irrigate areas of POS; and* *iii. Infiltration at site rather*

CITY OF ALBANY TOWN PLANNING SCHEME No. 3

OUTLINE DEVELOPMENT PLAN (ODP005)

SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
				than the standard pipe to detention basin."
3.	Department of Environment and Conservation 120 Albany Highway ALBANY WA 6330 *(Most recent letter dated 28th January 2011)*	(a) No objection. There are large trees within the south west corner of the ODP area which are frequented by White Tailed Cockatoo's. Request that where trees correspond with POS areas they be conserved.	(a) The ODP indicates an area of POS in the south-west corner where a number of the trees referred to will be accommodated.	(a) Uphold. Update planning report an insert the following additional text at end of Condition 8 under Development Requirement: *"In the areas identified as POS on the ODP, existing mature jarrah and marri trees are to be retained."*
4.	Water Corporation PO Box 915 ALBANY WA 6331	(a) No objection. The subdivision will be required to connect to reticulated sewerage and water at subdivision stage.	(a) Noted.	(a) Noted.
5.	Western Power Locked Bag 2520 PERTH WA 6001	(a) No objection.	(a) Noted.	(a) Noted.
6.	Department of Health PO Box 8172 Perth Business Centre PERTH WA 6331	(a) No objection.	(a) Noted.	(a) Noted.
7.	Department of Education 151 Royal Street EAST PERTH WA 6004 (letter dated 5 September	(a) Is not supportive of school site close to intersection of Range Road and Catalina Road (ie. eastern portion of Lot 34 and western portion of Lot 35).	(a) Accepted that school site should not be positioned adjacent to intersection of Catalina Road and Range Road.	(a) Uphold. Remove annotation regarding Lots 34 and 35 that was placed on advertised version of ODP.

CITY OF ALBANY TOWN PLANNING SCHEME No. 3

OUTLINE DEVELOPMENT PLAN (ODP005)

SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
	2011 and 18 August 2011)	(b) Requests a school site be located straddling the boundary of Lots 32/33 or 33/34, or include Lot 1000 (east of the subject land within ODP area and take steps to rezone this land accordingly).	(b) Suggested that these two indicative locations be referenced in the ODP, however it is considered that a site to the east of the Range Road extension will need to be considered as part of wider Yakamia Structure Plan (Cells A and B), and when the final site is selected the Catalina Road ODP can be updated accordingly. All options available are detailed in the officer report.	(b) Uphold in Part. Identify the suggested sites as per DoE sketch plan as 'indicative sites' with the following annotation: *"Land to the north and east of this ODP area is likely to be subject to future structure planning by the City of Albany (Yakamia Structure Plan Cells A and B), which will require the identification of a primary school site.*
		(c) Is not supportive of annotation which does not give certainty to the Department in relation to securing a school site.	(c) Noted, however given the land within the locality is fragmented and under various ownership early acquisition ahead of need is considered vital to securing a site for the benefit of the community – without this commitment the suggested option by staff is considered to be a reasonable approach.	*The Department of Education is responsible for the acquisition and development of all public school sites and in the event that this Department wishes to pursue acquisition of a primary school site within the Catalina Road ODP area, particularly over Lots 32, 33 and/or 34 Catalina Road (as per its indicative sketch plan), this will be subject to negotiation and agreement between the Department and*

CITY OF ALBANY TOWN PLANNING SCHEME No. 3

OUTLINE DEVELOPMENT PLAN (ODP005)

SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
				the landowner concerned and will not affect the rights of individual landowners to subdivide in accordance with the adopted ODP." (c) Noted.
8.	Charlotte McIntyre PO Box 372 Albany WA 6331	(a) Need traffic calming measures along Hudson Road (long straight road). (b) Concerns over dust issues arising during subdivision works.	(a) Hudson Road is a long straight road and although the conversion into an urban standard road and increased density in the area will have the effect of reducing traffic speed, some traffic calming measures should be included in detailed road design. (b) Although standard condition that is applied at subdivision stage it is recommended that requirement for a dust management plan be highlighted within the ODP.	(a) Uphold. Refer to Submission 1(d) which incorporates requirement for traffic calming measures on Hudson Road. (b) Uphold. Add new Point 11 under Development Requirements stating the following: *"At the time of subdivision a dust management plan is to be prepared and implemented to the satisfaction of Council."*
9.	W. Spannderman 12 Hudson Road Albany WA 6330	(a) There is a need for traffic calming measures along Hudson Road (long straight road).	(a) Refer Submission 8(a).	(a) Uphold. Refer Submission 8(a).
10.	MGA Town Planners 26 Mayfair Street WEST PERTH WA 6005	(a) A District Structure Plan needs to be adopted prior to supporting the ODP in order to:	(a) It is acknowledged in the document that the ODP will be subject to any contribution	(a) Noted.

CITY OF ALBANY TOWN PLANNING SCHEME No. 3

OUTLINE DEVELOPMENT PLAN (ODP005)

SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		• plan for services (eg sewerage); • base the apportionment of responsibilities to the cost of providing land and completing the construction of Barnesby Drive and associated drainage lines, Yakamia Creek, Range Road, Yakamia Drive and open space for conservation purposes.	schedule identified in the Yakamia Structure Plan (Cells A and B) as per Clause 7.5. (b) It is considered that any contribution plan within the Yakamia Structure Plan (Cells A and B) would focus primarily on contributions for the construction of Range Road to its ultimate four lane construction. The previous draft structure plan prepared in 2005 did not identify a cost contribution scheme. A detailed and complex cost contribution scheme is not anticipated or recommended. This issue will be considered as part of the the Yakamia Structure Plan (Cells A and B). It is considered unreasonable to defer the finalisation of the ODP pending consideration as to whether a cost contribution scheme will be required in the future. The existing subdivision of Yakamia has proceeded without such a scheme in place.	

CITY OF ALBANY TOWN PLANNING SCHEME No. 3

OUTLINE DEVELOPMENT PLAN (ODP005)

SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
11.	Dykstra Planning 2953 Albany Highway KELMSCOTT WA 6991	(a) Request the following modification to development requirement number 9 listed on the ODP: *Subdivision of Lots 34 and 35 on this ODP will only be supported by Council where satisfactory agreement has been achieved with the Department of Education and Training (DET) in relation to the allocation of a primary school site beyond the ODP area.*	(a) This submission has predated the most up to date discussions held with the Department of Education. The proponents preferred position is the annotation included within Option 1 in the officers report.	(a) Noted.

ODP005

AGENDA ITEM 2.2 REFERS

ADRIAN N + GRAEME B-

Government of **Western Australia**
Department of **Education**

Your ref :
Our ref : D11/0500795
Enquiries :

ICR1144817.

Mr Graham Bride
Executive Director Planning and Development Services
City of Albany
PO Box 484
ALBANY WA 6153

CITY OF ALBANY
24 AUG 2011
RECORDS OFFICE

PROVISION OF A SITE FOR A PRIMARY SCHOOL IN LANGE (NORTH YAKAMIA)

Dear Mr Bride,

The Department of Education, as you are aware, has been liaising for a considerable amount of time with both the City of Albany and Dykstra Planning to identify a suitable site for a future primary school to meet the educational needs of the community in the Lange (North Yakamia) area.

The Department had previously identified the need for a primary school site in the Lange area of Albany. The Department's initial discussions indicated possible locations east of Lockheed Road and south of Catalina Road, and north of Catalina to the west.

Subsequently a draft Yakamia District Structure Plan (DSP) was developed in 2005, following discussions between the Department and the City of Albany, that indicated a primary school site located in the Catalina Road Outline Development Plan (ODP). The site was situated east of Lockheed Road and south of Catalina Road.

Whilst never formally approved, the DSP indicated an increased status and a realignment of Range Road that bisected the primary school site. This realignment, if adopted, would require a repositioning of the primary site. The alternative site suggested was to the west of Range Road, over Lots 34 and 35, as confirmed in September 2009 when the Scheme Amendment for these lots was first submitted to the Department for comment.

An Outline Development Plan (ODP) for Lots 30 to 35 was subsequently submitted to the City of Albany on behalf of the owners and forwarded to the Department for comment. The Department noted a school site was no longer identified on Lot 34 or 35 and therefore could not endorse the ODP until another site was identified and was acceptable to the Department.

However, it was noted on Figure 3 of the ODP, dated 17 December 2010, that development requirement Number 9 had been added to the previous version, which stated:

> "With respect to Lot 34 and 35 no subdivision shall be supported on these lots until an alternative school site has been endorsed within the Yakamia District Structure Plan."

It was also noted that Range Road had been realigned directly northward separating Lot 34 from 35. This meant the primary school site would have to be identified on either Lot 34 or 35 each option fronting Range Road with anticipated high traffic volumes impacting on safety and traffic management around either site.

To assist with the planning process, the Department identified two alternative sites suitably located across Lot 32 and 33 and across Lot 33 and 34. The Department reiterated that unless another site was identified and set aside under the statutory planning process it was unable to support the ODP.

Planning officers have since attended meetings at the City's and the Department's main administrative offices as well as meeting on-site at Lot 30 to 35. The Department was asked to consider accepting the location of the primary school site on Lot 1000, which is directly east of Lot 35, under different ownership, currently zoned rural and outside the ODP area. Apparently the owner of Lot 1000 did not object to having a site for a primary school on his landholding but was potentially seeking early acquisition of the site.

At the time, officers from the Department indicated the location of the site on Lot 1000 maybe suitable and suggested the ODP be resubmitted and the area extended to include Lot 1000 in order to have the site formally identified and set aside as is normally the case in the planning process.

The Department's acceptance of an alternative site and any consideration for early acquisition of the site would be subject to the following:

1. Lot 1000 is rezoned from rural to urban by the City of Albany. This process would be facilitated by extending the area of the ODP to include Lot 1000.
2. The Department's commissioned consultants GHD conduct a due diligence site inspection to verify if the identified portion of Lot 1000 is suitable for developing a primary school.

The Department's position on identifying a site for a primary school in the Lange (North Yakamia) area has been clear and consistent throughout the ODP review process. The Department understands the proponents of the ODP are keen to obtain approval and develop their landholdings but the Department has an obligation to ensure a suitable site is identified and set aside during the planning process.

The Department considers it is unreasonable for it to be required to acquire the primary school site in advance of the planning process. That the Department is being asked to acquire land ahead of mandatory planning processes is in contradiction with the statutory planning framework that guides good planning principles and procedures.

Therefore the Department wishes to reiterate its previous and current position that a site for a primary school is identified and set aside in the Catalina Road ODP in the absence of another site being identified in the Lange (North Yakamia) area to the Department's satisfaction and set aside on a structure plan approved by the City of Albany and the Western Australian Planning Commission.

It does not fall within the Department of Education's jurisdiction to initiate the structure planning or subdivision process. The Department believes it is within the jurisdiction of the City of Albany, together with the proponents of the ODP, to develop the planning solution that will satisfy the Department's requirements for the provision of a site for a future primary school to be identified and set aside in an approved ODP or DSP.

The Department awaits the City's response to this matter and ask that you contact Richard Bloor 9264 4435 or Michael Cooper on 9264 4308 if you require further information.

Yours Sincerely

MICHAEL COOPER
SENIOR PLANNING CONSULTANT
STRATEGIC ASSET PLANNING

18 August 2011

ODP005

AGENDA ITEM 2.2 REFERS

Government of Western Australia
Department of Education

CITY OF ALBANY
7 SEP 2011
RECORDS OFFICE

Your ref :
Our ref 28-27909-D11/0516217
Enquiries :

Mr Graeme Bride
Executive Director Planning and Development
City of Albany
PO Box 484
ALBANY WA 6331

City of Albany Records
Doc No. ICR1146475
File. ODP005
Date: 07 SEP 2011
Officer: EDPDS;SPPLAN

Attach:
Box.
Vol
Box+Vol:

Dear Mr Bride

I refer to your letter dated 19 August 2011 to the Hon Dr Elizabeth Constable MLA, Minister for Education regarding identification of a site for a future primary school in the Yakamia District Structure Plan (DSP) and the Catalina Road Outline Development Plan (ODP). The Minister has asked me to respond on her behalf.

A senior planning consultant from the Department of Education's Strategic Asset Planning wrote to you on 18 August 2011 reiterating the Department's position on the identification and setting aside of a site for a primary school in Lange (North Yakamia), Albany. This is an area within the Yakamia DSP and the Catalina Road ODP.

The Department understands the concerns landowners have when primary school sites are identified on their landholdings. However, the ceding of primary school sites to the Department free of cost is a planning condition determined by the statutory policy framework. The Department has an obligation to ensure a sufficient number of primary schools, determined as significant local infrastructure, are identified and set aside to meet the future educational needs of communities that develop on subdivided land similar to that shown on the Catalina Road ODP.

All landowners and developers, who have landholdings within the defined catchment area of a primary school (typically 1500 lots), are required to make pro-rata contributions. The catchment area for this school will be over fragmented ownership, and each landowner makes a proportional contribution (oversupply) to a single landowner if the whole of the primary school site is under single ownership.

The need for a primary school, and consequently a site, is generated by broad acre sub-divisions occurring within the catchment area. The development of the school is generated by the rate of development occurring within that catchment area.

A single subdivision generates the need but may not necessarily generate the development of the school prior to a critical mass of lots within the catchment being sold and occupied (typically 600 lots sold, 300 occupied). The Catalina Road ODP is an example of this.

ODP005

The Department is unable to support the Catalina Road ODP in its current form unless the following amendments are made to the ODP:

1. a site for a primary school is identified on the Catalina Road ODP across either Lot 32 and Lot 33 or across Lot 33 and Lot 34 as officers from the Department have previously suggested; or
2. Lot 1000, identified as a suitable location for a primary school, is rezoned by the City of Albany from rural to urban and the Catalina Road ODP is extended to include Lot 1000; and
3. the Department's commissioned consultants GHD conduct a due diligence site inspection to verify if the identified portion of Lot 1000 is suitable for developing a primary school.

The Department believes the additional annotation proposed for the Catalina Road ODP does not provide the Department with any certainty for ensuring a primary school site will be identified, particularly when it is subject to:

1. a future district structure plan not yet documented and approved; and
2. an agreement by landowners of the Catalina Road ODP before the Department can pursue acquisition of a site currently not identified in the Catalina Road ODP and without affecting the owners' rights to subdivide.

The Department reiterates that acquiring, or being asked to acquire, a primary school site in advance of mandatory planning processes is in contradiction with the statutory planning framework that guides good planning principles and procedures.

It is not within the Department of Education's jurisdiction to either initiate the structure planning and subdivision process or to satisfy conditions by the acquisition of land. The City of Albany, together with the proponents of the ODP, should develop the planning solution that will satisfy the Department's requirements for the provision of a site for a future primary school to be identified and set aside in an approved ODP or DSP.

Should you require further information please contact Mr Richard Bloor on 9264 4435 or Mr Michael Cooper on 9264 4308.

Thank you for raising your concerns.

Yours sincerely

SHARYN O'NEILL
DIRECTOR GENERAL

05 SEP 2011

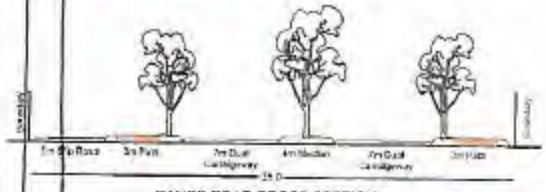
OPTION 1 : FOUR ROAD FRONTAGES; STRADDLES LOT 32 + 33

AGENDA ITEM 2.2 REFERS

OPTION 2 : FOUR ROAD FRONTAGES; STRADDLES LOT 33 + 34

HEDULE

Drainage	POS Less than 50% Drainage	Variation POS
2500m²	4170m²	-3348m²
7800m²	10469m²	+2276m²
Nil	11804m²	+2554m²
1100m²	5812m²	-2338m²
2250m²	5123m²	-4907m²
1400m²	6250m²	+38m²
6850m²	43848m² (8.9%)	-6992m² (1.2%)



Our Ref: ODP005 / LT1150284
Cross Ref:
Your Ref:
Enquiries: Graeme Bride

12 September 2011

Mr Joe Lembo
c/- bookings@lilacs.net.au

Dear Sir

CATALINA ROAD ODP AND FUTURE PRIMARY SCHOOL SITE.

Further to our recent telephone conversation, the City is seeking comment from your client regarding the possibility of identifying a future school site on their land being Lot 1000 (11 Lockheed Road, Lange).

As you are aware, the City has been seeking to finalise the ODP for this area for some time. The completion of the plan is now being held-up by the Department of Education's requirement to identify a future school site within the ODP area. Whilst the City has explored all options available, it has been unsuccessful in securing a site within the ODP area.

The recent discussions held between the City and Department of Education have identified an opportunity to identify your clients land for this purpose. Whilst the City is responsible for the planning of the area, the Department of Education are responsible for the negotiation and purchase of all public school sites.

If your client was agreeable to progress this option, the City would undertake the following actions, in consultation with the Department of Education:

a) Request the Council require the draft ODP be modified as follows:
   - Include Lot 1000 within the Catalina ODP Plan.
   - Show the northern portion (approximately 4ha's) of Lot 1000 as an Indicative Primary School Site with an appropriate notation on the ODP Plan to state 'Indicative Primary School Site (subject to negotiation and purchase by the Department of Education with agreement of the landowner)'.
   - Show the southern portion (approximately 2ha's) of Lot 1000 for future residential purposes and complete a simple subdivision design over this portion.

b) The City would support the subdivision of the land into these 2 lots upon completion of the ODP Plan (this could also be identified on the ODP as a notation).

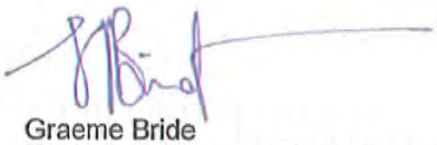
The consultant planner for the ODP has indicated that his clients have agreed to meet the costs of amending the ODP to incorporate Lot 1000, identify the school site and complete an indicative subdivision design over the southern 2 hectare portion. In addition, once the ODP is endorsed by the WA Planning Commission, the land will be identified as 'Future Urban' within the draft local planning scheme being prepared by the City (this will require a supporting submission from the landowner) when the scheme is advertised for comments.

If your client was not agreeable, then the City will take no action and the land would not be included within the ODP and the status quo of the land would remain.

As you would appreciate, the City is keen to finalise this project and would appreciate if you could treat this matter as urgent and provide feedback, whether supportive, or not, at your earliest convenience.

Should you have any queries regarding this matter, please don't hesitate to contact me by email on graemeb@albany.wa.gov.au or by telephone on 9841 9341.

Yours sincerely



Graeme Bride
Executive Director Planning & Development Services

AGENDA ITEM 2.2 REFERS

RG:rc

Mr R.R. Green
11 Lockhead Road
LANGE WA 6330

26th September 2011

Executive Director Planning & Development Services
City of Albany
102 North Road
ALBANY WA 6330
Att: Graeme Bride

Dear Sirs

RE: Lot 1000 (11) Lockhead Road, Lange.

I refer to your letter to you dated 12th September 2011 sent by email to my Agent Joe Lembo. ("the email")

Please be advised that I agree to the proposal sent out in the email subject to the following proviso.

For the sake of certainty I understand that northern portion (approximately 4 hectares) will be given a base zoning of "Future Urban" however on the ODP this land will be identified as an "Indicative Primary School Site."

I would appreciate your confirmation of my understanding.

Otherwise I look forward to being kept informed of the progress with this matter.

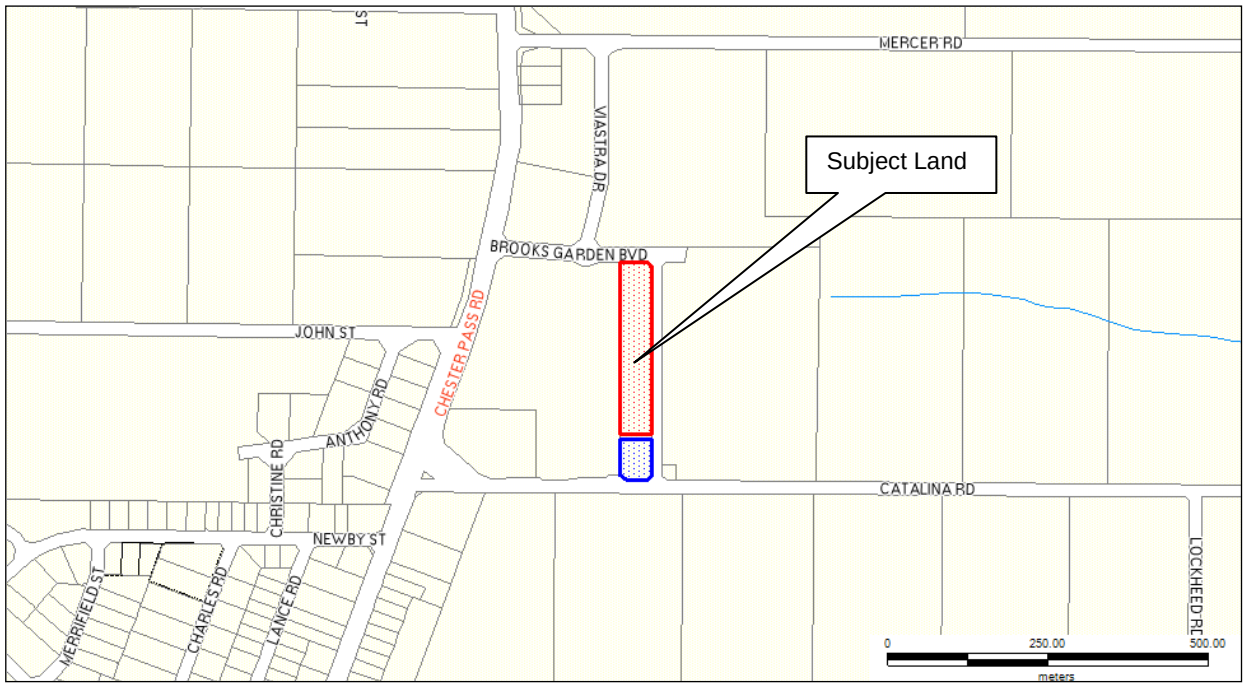
Yours faithfully

Robin Ray Green

2.3: DEVELOPMENT APPLICATION – 86 X GROUPED DWELLINGS – 35 CATALINA ROAD, LANGE

Land Description	:	Lot 1005 (35) Catalina Road, Albany
Proponent	:	Taylor Burrell Barnett Town Planning & Design
Owner	:	King Open Pty Ltd (controller acting)
Business Entity Name	:	LM Investment Ltd
Directors	:	Eghard van der Hoven
Attachments	:	Planning Report, Plans and Visual Perspectives
Appendices	:	Acoustic Report and Engineers Servicing Report Copy of submissions Proponent's response to submissions made
Councillor Workstation	:	Legal Advice x 2
Responsible Officer(s)	:	E/Director Planning & Development Services (G Bride)

Maps and Diagrams:



IN BRIEF

- Grouped Dwelling proposal of 86 units arranged in six distinct groups at an approximate R50 density.
- The Mixed Business Zone in Town Planning Scheme No. 3 does not identify the acceptability/permissibility of 'Grouped Dwellings', however this is clearly intended within the adopted Catalina Central Planning Framework (Structure Plan and Precinct Plan).

CEO:	RESPONSIBLE OFFICER:

ITEM 2.3: RESPONSIBLE OFFICER RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

THAT Council ISSUE a Notice of Planning Scheme Consent for 86 'Grouped Dwellings' at 35 Catalina Road, Lange, subject to the following conditions:

1) Prior to the issuing of a building licence

A. A schedule of external materials and finishes shall be submitted to and approved in writing by the City of Albany.

B. A landscaping plan showing full details of both hard and soft landscaping shall be submitted to and approved in writing by the City of Albany.

C. The location of the crossover and means of access to the unit at the southeast corner of the development (Unit 1), closest to the intersection of Catalina Road and Stirling View Drive, will be repositioned to the satisfaction of the City of Albany.

D. A stormwater management plan is to be submitted to and approved by the City of Albany. Such plan shall be designed and certified by a suitably qualified practicing Civil Engineer.

E. Intersection treatment designs for the Catalina Road/Stirling View Drive and Brooks Garden Boulevard/Stirling View Drive intersections are required to be submitted to and approved by the City of Albany. Such plans are to be designed and certified by a suitably qualified practicing engineer with traffic engineering expertise.

F. Detailed engineering plans identifying all works to be undertaken within Brooks Garden Boulevard, Catalina Road and Stirling View Drive road reserves (such as the installation of on-street parking bays, drainage works, dual use paths and intersection treatments) are required to be submitted to and approved by the City of Albany.

G. The dual use paths surrounding the development should be increased in width to 2.5 metres.

H. A dust management plan is to be submitted to and approved by the City of Albany and be complied with throughout the construction of the development.

I. The proponent is required to provide evidence that a restrictive covenant pursuant to Section 150 of the *Planning and Development Act 2005*, preventing direct motor vehicle access onto Catalina Road and Brooks Garden Boulevard benefiting the local government has been lodged on the Certificates of Title of the subject land. The full expense for such restrictive covenant, compliance shall be borne by the landowner.

2) Prior to occupancy of the development

A. The following works are to be completed to the satisfaction of the City of Albany:

i. Landscaping works in accordance with the approved landscaping plan

(Condition 1B);

ii. **The stormwater drainage system in accordance with the approved stormwater management plan (Condition 1D);**

iii. **All works within the road reserve in accordance with the approved engineering drawings (Conditions 1E and 1F).**

B. The new crossover(s) being constructed to the City of Albany's specifications, levels and satisfaction in accordance with drawing no. 97024 1/3. A permit from the City of Albany is required prior to any work being carried out within the road reserve.

C. The approved vehicular parking, manoeuvring and circulation areas indicated on the approved plan being constructed, properly drained and sealed to the satisfaction of the City of Albany.

D. All pedestrian access-ways within the subject land being constructed drained, landscaped and provided with lighting at the landowners cost to the satisfaction of the City of Albany.

E. Street lighting is to be provided at the Developer's cost to the satisfaction and specification of the City of Albany.

F. A solid wall 1.8m in height (as per the elevations submitted on Plan SD13 revision B) is to be constructed on the western boundary adjacent to the shopping centre for noise attenuation purposes.

G. All boundary fencing to the boundary with Stirling View Drive shall be visually permeable above a height of 1.2m above natural ground level.

H. All parking spaces within the development being marked out and maintained in good repair thereafter.

BACKGROUND

1. The subject site is a long, narrow, relatively flat, north-south orientated lot located to the east of the Brooks Garden Shopping Centre. The lot is split in two by a pedestrian access way towards the southern end of the lot. The northern part of the lot is 13,173m² in area and the portion south of the pedestrian access way is 3,118m² in area, giving a total lot area of 16,291m². The lot is zoned Mixed Business under Town Planning Scheme No. 3.

2. There is an anomaly with the zoning table of Town Planning Scheme No. 3 in so much as the permissibility of residential type uses is not defined, with the zoning table left blank against these uses.

3. Clause 3.3 of the Scheme details the meaning behind the symbols in the development table and the permissibility of the uses within the zones. Clause 3.3 reads:

> *The symbols used in the cross reference in Table No. 1 following clause 3.9 and in the table appended to clause 3.7 have the following meanings:*
>
> *"P" - A use that is permitted under this Scheme;*

"AA" - A use that is not permitted unless planning consent to it is granted by the Council after notice has been given in accordance with Clause 5.1.4.
"A" - A use that is not permitted unless approval is granted by the Council;
"IP" - A use that is not permitted unless such use is incidental to the predominant use as decided and approved by the Council;
"X" - A use that is not permitted.

4. Nowhere within the Scheme is there an explanation for a blank entry within the zoning table, so it is unclear how a use with a blank entry for the zone is to be considered. For the Mixed Business zone there are four blank entries against dwelling type uses.

5. However, Clause 3.12 of the Scheme provides some assistance on this matter and reads:

Those areas zoned as 'Mixed Business' on the Scheme Map shall be subject to specific precinct plans as specified in clause 5.22 of the Scheme.

It should be noted that the above reference to Clause 5.22 should now read Clause 5.25 due to amendments inserting additional clauses without the cross-referencing being corrected.

6. Clause 5.25 details the requirements for development within the Mixed Business Zone as follows:

The following provisions shall apply generally to all land included in the Mixed Business Zone.

- *No person shall carry out any development within the Mixed Business Zone unless such development is in accordance with a Precinct Plan which has first been adopted by Council.*
- *A Precinct Plan may be prepared by the council, or by any other person who may then submit the Precinct Plan to the Council for its approval and adoption.*
- *'Office' developments are to be permitted only as a use incidental to the predominant land use on a site and are not to occupy an area exceeding 200 sq. metres.*
- *Development of a Discount Department Store is not permissible.*

Council may require the preparation of a Structure Plan for larger mixed business areas showing the intended general development within the zone. The Structure Plan area will be divided into Precincts with a Precinct Plan to be prepared over each.

In general, a Precinct Plan may include the following;

- *The proposed use of land within the precinct;*
- *The movement network including location of roads, pedestrian and cycle paths and car parking areas;*
- *Built Form and design elements.*

In approving a Precinct Plan over an area, Council may also require, at its discretion, the preparation of detailed Design Guidelines. The detailed Design Guidelines may be required to show or otherwise describe the following;

- *Setbacks and height*
- *Building form, treatment and bulk*
- *Access and parking*
- *Windows, openings and façade treatments*
- *Loading*
- *Landscaping and public art*
- *Materials and colour*
- *Signage*

The following provisions shall apply to the land identified as the Catalina Central Mixed Business Zone:

- *Preparation of a Stormwater Management Plan, to the satisfaction of Council, will be required prior to development (including subdivision).*
- *No direct access to Chester Pass Road will be permitted from any lot.*
- *No development is to be undertaken within the Catalina Central Mixed Business zone without arrangements being made to the satisfaction of the City of Albany and Main Roads Western Australia for the creation and construction of the re-aligned Catalina Road as indicated on the scheme map. A minimum separation distance of 170 metres is to be achieved between Newby Street and the re-aligned Catalina Road.*
- *The cost of all road works (including land requirements) associated with access to the site, including the realignment of Catalina Road and the provision of deceleration lanes on Chester Pass Road, is to be met by the developer.*
- *All development is to be in accordance with a structure plan adopted by Council.*

7. It is therefore considered that where a blank appears within the Mixed Business Zone column of the zoning table, one should refer to any adopted precinct plan for the relevant area to determine the permissibility of that use. The proponent has provided two legal opinions on this matter which draw the same conclusion.

8. To satisfy the requirements of Clauses 3.12 and 5.25 Council has adopted the Catalina Central Planning Framework as a precinct plan under Clause 6.9 of the Scheme.

9. The subject site falls within Precinct 1 of the Catalina Central Planning Framework. Section 4.1.2 of the Framework clearly refers to Grouped Dwellings as a proposed use within the precinct plan. Furthermore, Plan 4 shows the subject site as a Special Development Area and details requirements for residential development on the site.

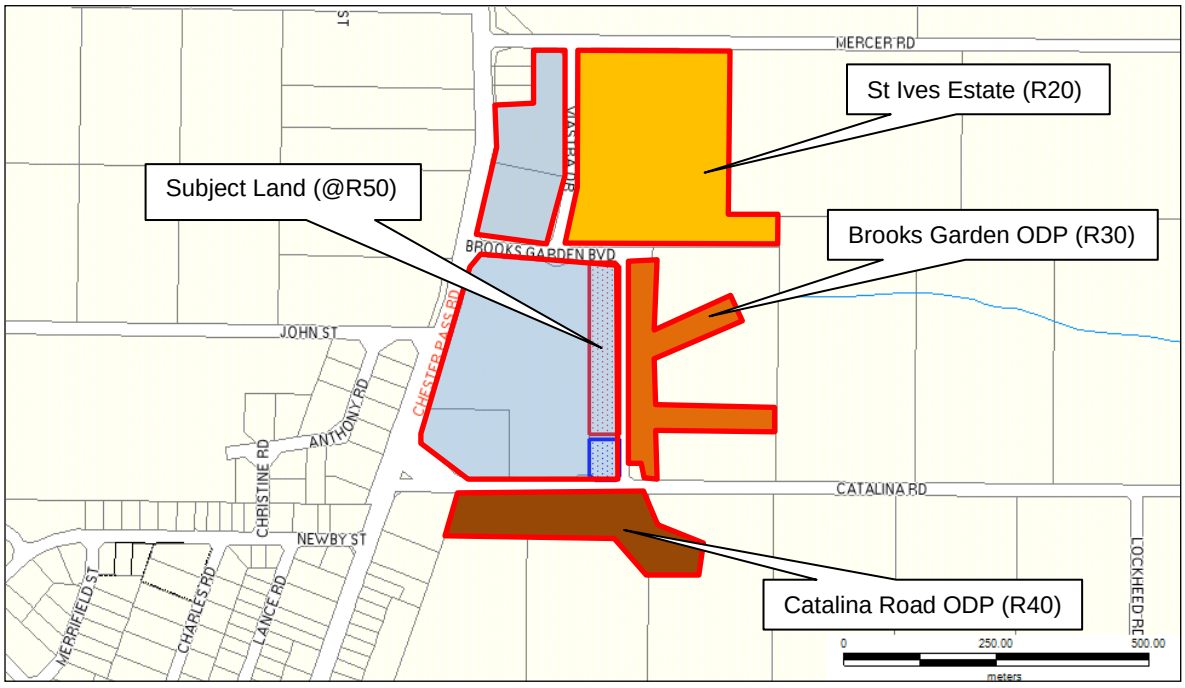
10. Accordingly, Grouped Dwelling development (as proposed) can be considered for this site.

11. This application is referred to Council in accordance with the Planning Processes Guidelines as the proposal seeks consent for development of 86 Grouped Dwellings. Any Grouped Dwelling proposal exceeding 25 units is required to be referred to Council for determination.

DISCUSSION

12. Having established that Grouped Dwelling development can be considered on this site, the specifics of this proposal must be considered. As the lot is within the Mixed Business zone there is no residential density coding applied and density is not covered in the Catalina Central Planning Framework. However, given the site adjoins and forms part of a significant neighbourhood centre a higher density of development is appropriate.

13. With the proposed 86 units over a lot area of 16,291m², an average of 189.4m² of land per unit is achieved. This equates to a density similar to the R50 density which identifies an average of 180m^2 (which is considered to be a medium density under the R-Codes). To put this in context, the St Ives Retirement Village is being developed at an R20 density. The land to the east is proposed to be developed to a mix of R20 and R30 density, with the R30 area being directly opposite. The land to the south side of Catalina Road, within the Catalina Road Outline Development Plan (ODP) is mostly an R20 density with pockets of R40 envisaged opposite the shopping centre on the south side of Catalina Road. The map below identifies the existing or proposed residential densities within the immediate vicinity of the site.



14. Council has also previously supported an increase in density immediately adjacent to the Spencer Park neighbourhood shopping centre with densities of R60 and R80. Given the subject land will be the closest residential development to the Brooks Garden neighbourhood shopping centre it is considered that a density comparable to the R50 code is an appropriate level of density making the most efficient use of the land.

15. In order to assess the development against the R-Codes the R50 density code has been used as a guide as identified in the following table.

Assessment against the Acceptable Development Criteria of the Residential Design Codes (R-Codes)

Criteria	Codes Requirement	Compliance
Setback of building generally (using R50 as guide)	• 4m average primary street setback, with 2m minimum setback.	Yes, meets average setback and no encroachments are less than 2 metres from boundary.
Minor incursions into the street setback area	• Porch, balcony, verandah, chimney etc not to project more than 1m into the street setback. Such projections not to exceed 20% of the frontage.	Not Applicable. No such features proposed.
Setback of garages and carports	• Behind setback line • Garages setback 4.5m from primary street or 3m where parallel to street	Direct access garages are setback 5.5m and meet acceptable standard, however parallel garages are setback 2m (refer Paragraph 17).
Surveillance of the street	• One habitable room window has clear view of street	Yes. All dwellings facing Stirling View Drive and private internal access ways have at least one habitable room window facing street/access way. Some units are located behind units facing the street and internal access ways and these units would not technically meet this requirement. Consideration under the performance criteria required (refer Paragraph 18 and 19).
Street walls and fences	• Front walls and fences within the primary street setback area being visually permeable above 1.2m above natural ground level.	Yes, open style fencing to primary street to provide passive surveillance.

Criteria	Codes Requirement	Compliance
Sight lines at vehicle access points and street corners	• Walls & fences truncated or no higher than 0.75m within 1.5m of where wall/fence adjoins vehicle access points where a driveway meets a public street and where two streets intersect.	No, within Village 1 the unit closest to Catalina Road has open railing fence up to 1m high immediately adjacent to driveway (refer Paragraph 20).
Garage doors	• Garage doors and supporting structure not to exceed 50% of the frontage	Yes, only single garages proposed with five (5) facing the primary street.
Building setback from the boundary	• In compliance with R-Codes table based on wall length and height with or without major openings. • Generally 1 – 1.5m	General setback is greater than 1.5m. However, garages along the west boundary are located on the boundary as part of the acoustic boundary treatment. Refer paragraph 21.
Buildings on boundary	• Walls built up to a boundary behind the front setback line within the following limits, subject to the overshadowing provisions of design element 6.9: ... iii) in areas coded R30 and higher, walls not higher than 3.5m with an average of 3m for two-thirds the length of the balance of the boundary behind the front setback to one side boundary only.	The garages referred to above are on the rear boundary, but otherwise comply with this requirement.
Open Space (areas not covered by buildings)	• 45% minimum open space.	Yes, 45% equates to 7331m². The proposal gives 8644m² of open space which equates to 53%.
Outdoor Living Areas	• Minimum 16m^2 with minimum dimension of 4m. Directly accessible from a habitable room with two-thirds without roof covering.	No, six(6) units facing Stirling View Drive have an area only 3m in depth towards the road although they exceed 4m in length (refer Paragraph 22).
Landscaping requirements	Landscaping of grouped dwelling common property and communal open spaces	

Criteria	Codes Requirement	Compliance
	in accordance with the following:	
	• Street setback developed without parking, except visitor bays and with a maximum 50% hard surfaced;	• No, 50% hard surface is exceeded (refer Paragraph 23).
	• Pedestrian paths providing wheelchair accessibility connecting all entries to buildings with the public footpath and parking areas;	• Yes, differing surface treatment denotes pathways.
	• Landscaping between each consecutive parking spaces;	• Yes.
	• Lighting to pathways, communal open space and parking areas;	• Not shown, but can be conditioned.
	• Bin storage areas conveniently located and screened from view;	• Yes.
	• Retention in open space of trees greater than 3m in height;	• Not applicable as no existing trees onsite.
	• Adequate sight lines for pedestrians and vehicles;	• No, the close proximity of the crossover for Unit 1 from intersection of Catalina Road and Stirling View Drive is of concern. This can be addressed through the application of a condition.
	• Clear line of sight between communal open space and at least two habitable room windows;	• Yes.
	• Clothes drying areas which are secure and screened from view;	• Yes.
	• Unroofed visitor's parking bays effectively screened.	• Locations of parking and landscaping considered appropriate to meet this requirement.
Parking (onsite & offsite)	• 2 parking spaces for 2 and 3 bedroom dwellings with one for exclusive use	• No. 154 bays have been provided on site for resident parking which is 8 bays

Criteria	Codes Requirement	Compliance
	of that dwelling. A total of 152 bays needed for 76 of these dwelling types. One parking space per Single bedroom dwellings. A total of 10 bays required for these 10 dwelling types. A total of 162 bays required. Visitor parking at a rate of one space per four dwellings which equates to 22 visitor bays. A total of 184 parking bays are required.	short, however an additional 31 bays are provided on the street which delivers a total of 185 bays meeting the overall requirements of 184 bays. Each unit has one dedicated space. As a portion of the parking requirement has been achieved via on street parking Council discretion is required to consider parking provision as discussed in Paragraph 26.
	• Some or all of the required parking spaces may be located off-site, where the parking is sufficiently close to ensure use by residents and/or visitors.	• This is considered to comply as on-street bays are within close proximity of units given narrow width of subject land.
Vehicular access	• Minimum width of 4m where the number of dwellings served is five or more; • Designed to allow vehicles to pass in opposite directions at one or more points.	• Minimum width of 4 metres achieved. • In excess of 6 metres at various points to allow vehicles to pass in opposite directions.
Pedestrian access	• Communal access serving 10 dwellings or more to have a separate pedestrian path minimum 1.2m wide and barrier free; • No closer than 3m to a wall with a major opening, unless screened.	• Yes, demarcated through different surface treatment. • Where the path is close to units there is a minimum setback 1.5-2m that will be landscaped.
Excavation or Fill	• Within street alignment and building or 3m of street alignment or 1m of a common boundary, not to exceed 0.5m	• Yes, no significant filling proposed as working with minor natural slope. Minimal levelling may be required.

Criteria	Codes Requirement	Compliance
Building Height	• Category B of the R-Codes (buildings to be less than 9m in height to gable and 6 m to eaves or 7m with a concealed roof such as parapet).	• Yes, development proposed is all regular proportion single storey units with roof height of 5.2m and internal ceiling heights of 2.7m.
Solar access for adjoining sites	• Development designed so its shadow cast at midday on 21 June does not exceed 50% of any one adjoining residential lot.	• Yes, this is single storey development on a large lot bounded by public roads and the shopping centre service road. There are no adjoining residential lots.
Stormwater disposal	• Where conditions allow to be retained onsite directed to garden areas, sumps and rainwater tanks.	• Each unit is proposed with a rainwater tank. Onsite storage pits are also proposed.
Essential facilities	• Minimum $4m^2$ storage area with minimum dimension of 1.5m; • Adequate clothes drying area screened from view from street	• Yes, each unit has an external lockable storage area. • Each unit is provided with space for clothes drying in a private area.

16. There are parts of the R-Codes where this proposal does not meet the acceptable development criteria and consideration under the performance criteria or associated relaxations are required.

Setback of garages and carports

17. Some garages are orientated parallel to Stirling View Drive and setback 2m rather than 3 metres as specified under the acceptable criteria of the R-Codes. It should be noted that there are only three such occurrences in the 340m frontage of the subject lot. With significant distances and landscaping between these garage side walls, it is considered that the three parallel garages would not detract from the streetscape or the appearance of the dwellings in the street. Given the overall development pattern proposed these garages will not obstruct views of the dwellings from the street or vice versa. This is considered by staff to comply with the performance criteria of this element of the R-Codes.

Surveillance of the street

18. The intention of this element is to ensure security or the perception of being observed whilst on the street or in communal areas. With the layout of this higher density development, some units are located to the rear of other units without direct line of sight to the public road or communal street.

19. Although these units do not contribute directly to surveillance of the street, the other units within the development are considered to provide adequate surveillance, such that staff consider the performance criteria is satisfied.

Sight lines at vehicle access points and street corners

20. The unit proposed in the southeast corner of the subject site (Unit 1) is the only area of non-compliance with the acceptable development criteria of this element of the R-Codes. Although having said this with the boundary fence proposed as an open style railing and no landscape planting indicated behind the railing, visibility would be acceptable to meet the performance criteria requirement.

Buildings setback from the boundary / Buildings on boundary

21. The only elements of the development that do not meet standard boundary setbacks required under the R-Codes are the garages positioned along the western boundary. However, as part of noise attenuation measures identified in the Catalina Central Planning Framework, a solid wall is proposed along most of this boundary to help shield the residential development from noise associated with the shopping centre. Having the garage walls as part of this required boundary treatment makes effective use of space onsite and enhances the amenity and privacy of occupiers of the development. This meets the performance criteria of the R-Codes.

Outdoor living areas

22. Six of the eighty-six units proposed have outdoor living areas that do not meet the minimum 4m length/width requirement, having dimensions of 8m x only 3m. As the other dimension exceeds the 4m minimum and the overall area is in excess of the 16m^2 of space required it is considered that the areas are capable of use in conjunction with a habitable room and therefore meets the performance criteria of this element of the R-Codes.

Landscaping requirements

23. More than 50% of the street setback of common property is hard surfaced because the common property in question is the access legs serving the development. This is mostly due to the shape of the lot presenting its primary frontage to Stirling View Drive. Although more than 50% of the common property is hard surfaced, this is more than offset by the soft landscaped garden areas of the units that are visible from the street. This meets the needs of the residents and contributes significantly to the streetscape and therefore meets the performance criteria of the R-Codes in this respect.

Traffic Considerations and Parking

24. The City's officers have concerns over the location of the driveway for Unit 1 being too close to the intersection of Catalina Road and Stirling View Drive and have recommended the driveway is repositioned further to the north. The proponents have advised they are agreeable to this and requested that a re-design be conditioned as a requirement on any approval.

25. The City's officers have also requested that the identified public footpaths be widened to 2.5m dual use paths and appropriate intersection treatments be designed for the Catalina Road/Stirling View Drive and the Brooks Garden Boulevard/Stirling View Drive intersections. Again the proponents are liaising with the City on these requirements and have requested these be the subject of appropriate conditions.

26. In relation to parking it is considered reasonable that 31 parking bays are located on the street to provide visitor parking. The R-Codes do allow on-street parking bays to be included in the overall parking calculation if Council is supportive of such parking. In this instance the bays will assist in providing a traffic calming function to reduce vehicle speeds on Stirling View Drive which is a relatively flat and straight road and together with parking bays on site meets the overall parking requirement of 184 bays.

Noise Attenuation

27. The Catalina Central Planning Framework requires a minimum separation of 27 metres between the shopping centre and residential development on the subject land. The residential development is setback 30.3 metres from the rear wall of the shopping centre and meets this requirement. An acoustic assessment submitted by Herring Storer Accoustics which involved the monitoring of noise associated with the adjacent loading dock revealed that compliance with the regulation noise levels as per the *Environmental Protection (Noise Regulations) 1997* would be achieved. Further mitigation measures including the construction of a solid 1.8m high wall would have the effect of lowering noise levels further. Double glazing of windows is not considered necessary based on the acoustic assessment.

GOVERNMENT CONSULTATION

28. The development proposal is consistent with the Catalina Central Planning Framework which has previously been considered by all relevant government agencies.

PUBLIC CONSULTATION / ENGAGEMENT

29. Given the scale of the development, wide public consultation was undertaken with letters sent to all landowners within 500m of the site. A total of 36 consultation letters were sent out on 7 July 2011. In addition, an advertisement for the proposal appeared in the Public Notices section of the Albany Advertiser on 14 July 2011. Any submissions or responses commenting on the proposal were to be received by 4 August 2011.

30. Two responses were received; one on behalf of Centro (shopping Centre operators) and the other from a local landowner.

31. The submission on behalf of Centro, whilst not objecting to the proposed development, seeks assurances that this development will not impact on the future development of the neighbouring shopping centre site. This relates to the minimum 27m setback separation distance between the shopping centre and any adjoining residential development. This requirement is contained within the Catalina Central Planning Framework, but clarifies that the setback must be considered at the time of building the shopping centre site. Therefore the design and positioning of any further shopping centre facilities must take this into account and allow for the residential development.

32. The submission from the local landowner queries the suitability of residential development on this site as well as raising concerns with the integrity of the noise assessment. The submission further raises the issue of stormwater runoff and the existing impacts of the attenuation basin as part of the existing drainage system dealing with runoff downhill from this site.

33. Since the inception of the Catalina Central Planning Framework it is clear that medium density residential development has been intended for this site. The location of medium density residential development in close proximity to neighbourhood centres is an established planning objective.

34. In relation to noise issues, an acoustic consultant did visit the site and recorded the noise levels associated with the unloading activities at the shopping centre. The consultant found that the noise associated with the shopping centre as outlined by the shopping centre manager and measured on site during the 29 and 30 March 2011 would comply with the regulation noise levels.

35. The issue of stormwater and pre-development flows from the site will need to be addressed via the stormwater management plan which will be undertaken by a qualified civil engineer for this development. The provision of water tanks and onsite infiltration will retain a significant amount of stormwater on site, with the remaining water being directed into the existing drainage system. The consultant engineer have provided the following commentary in relation to the stormwater issues raised in this submission:

"The original stormwater management plan was undertaken by Arup and indicated separate catchment areas in the Brooks Garden development. This report was subsequently reviewed by Opus at the request of Council and accepted by Council.

The issue of stormwater quantity increasing as development proceeds on Brooks Garden site is correct but this additional stormwater is attenuated in the existing pond. The outflow from this pond is controlled and does not change only that it will discharge for a longer period once the development has been completed."

STATUTORY IMPLICATIONS

36. As explored in the background section at the start of this report the permissibility symbol for 'Grouped Dwellings' within the Mixed Business zone is missing from the zoning table of Town Planning Scheme No. 3. However in the absence of a permissibility symbol, the clauses relating to the Mixed Business Zone within the Scheme (Clauses 3.12 and 5.25) as outlined above, empower a Precinct Plan (the Catalina Central Planning Framework) to identify land use mix. The Catalina Central Planning Framework has always identified grouped dwellings on the subject site. The proponent has provided two legal opinions to this effect.

37. Clause 5.4 of the Scheme details the matters to be considered by Council and states:

5.4 The Council in considering an application for planning consent is to have due regard to such of the following matters as are in the opinion of the Council relevant to the use or development the subject of the application:

(f) any Town Planning Scheme Policy adopted by the Council under clause 6.9, and any other plan or guideline adopted by the Council under the Scheme;

(i) the compatibility of a use or development with its setting;

(o) the relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal;

(p) whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring, and parking of vehicles;

(y) any relevant submission received on the application;

(zb) any other planning consideration the Council considers relevant.

STRATEGIC IMPLICATIONS

38. This item relates directly to the following element of the City of Albany Strategic Plan (2011-2021):

Key Focus Area
Sustainability and Development

Community Priority
A sustainable future

Proposed Strategy
Advocate for an affordable housing supply.

POLICY IMPLICATIONS

39. Council has adopted the Catalina Central Planning Framework as a precinct plan policy under Clause 6.9 of the Scheme.

40. This policy clearly indicates that a grouped dwelling development is intended for this site. This proposal meets the aims, objectives and intentions of the Catalina Central Planning Framework.

RISK IDENTIFICATION & MITIGATION

41. The risk identification and categorisation relies on the City's Risk Management Framework.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation

Should Council decide not to endorse the recommendation, the proponent may lodge an application for review to the State Administrative Tribunal.	*Likely*	*Insignificant*	*Low*	*Entirely dependent on Council.*

FINANCIAL IMPLICATIONS

42. The appropriate planning fee has been paid by the proponent and staff have processed the proposal within existing budget lines.

LEGAL IMPLICATIONS

43. Should Council refuse the development the proponent has the ability to seek review of Council's decision at the State Administrative Tribunal (SAT) which would involve legal costs for the City.

44. The one factor affecting the proposal that is not expressly clear is the permissibility of 'Grouped Dwellings' in the Mixed Business zone of Town Planning Scheme No. 3, where a blank entry appears in the zoning table. Legal opinions provided by the proponent advises that in the absence of a permissibility symbol the Catalina Central Planning Framework, which represents the adopted Precinct Plan for the purposes of the Scheme should be used to guide Council's discretion in this instance. The Catalina Central Planning Framework identifies grouped dwellings over the subject land.

ALTERNATE OPTIONS

45. Council has the ability to approve or refuse the development, in addition to modifying or adding any of the proposed conditions within the officer recommendation.

SUMMARY CONCLUSION

46. This application is for a grouped dwelling development at an approximate density equivalent to R50. Given the proximity of the development to the Brooks Garden neighbourhood shopping centre, it is considered that the density envisaged for the site is appropriate and is not out of keeping with the R40 and R30 density planned to the south and east of the subject land which are further removed from the shopping centre.

47. Subject to such conditions the proposal is considered acceptable and is recommended for approval.

Consulted References	Residential Design Codes of Western Australia Town Planning Scheme 3 Catalina Central Planning Framework Liveable Neighbourhoods 2007
File Number (Name of Ward)	A209460 (Yakamia Ward)
Previous Reference	Nil

AGENDA ITEM 2.3 REFERS

Offices: 102 North Road
Postal Address: PO Box 484, ALBANY WA 6331
Phone: (08) 9841 9383
Fax: (08) 9841 4099
Email: planning@albany.wa.gov.au
Synergy Reference No: NF06594_1

APPLICATION FOR GRANT OF PLANNING SCHEME CONSENT

PLEASE NOTE THAT PAYMENT MUST BE MADE BEFORE PROCESSING THIS APPLICATION

LANDOWNER

Name: Kingopen P/L (Controller acting)
Address: C/- LM Investment Management Ltd
PO Box 485 Surfers Paradise QLD 4217
Telephone: Work (07) 55844500 Home N/A Mobile 0408789023
Email: sking@LMaustralia.com Fax: (07) 55922505
Is there a business currently operating from this property? YES/NO
If yes, what type of business is being operated? N/A
State the name of the business: N/A
Signature: see Annexure "A" Date: 27th May 2011
(NOTE: APPLICATION MUST BE SIGNED BY LANDOWNER)

APPLICANT (if different from landowner)

Name of Contact Person regarding this application: LUKE MONTGOMERY
Address: TAYLOR BURRELL BARNETT PO BOX 8186 SUBIACO EAST WA 6008
Telephone: Work 93822911 Home Mobile
Email: luke@tbbplanning.com.au Fax: 93824586
Signature: Date: 27 MAY 2011

DESCRIPTION OF LAND AND NATURE OF PROPOSAL

House No: Lot No: 1005 Location No:
Street: CATALINA ROAD Locality/Suburb: LANGE
Type of Development/Use Proposed: GROUPED DWELLINGS

Estimated Date of Completion: 5+ yrs Estimated Development Cost: $ 10,250,000.00

THREE COPIES OF BUILDING PLANS AND SITE PLAN OF PROPOSAL MUST BE SUBMITTED WITH THIS FORM

OFFICE USE

TPS No: Zone: Other :
Use Type:
Description:
Assessment No: Building Licence No:

CASHIER G/L 124830

Application No:
Receipt No:
Amount:
Signature:
Date:

RECEPTION RECEIVAL STAMP

© City of Albany, 2006

Annexure "A"

EXECUTED by **LM INVESTMENT MANAGEMENT LIMITED ACN 077 208 461** as attorney for Kingopen Pty Ltd ACN 009 225 576 pursuant to power of attorney contained in Western Australia registered mortgage number K785398M dated 7 June 2007.)

.....	.....
Signature of Director/~~Secretary~~	Signature of ~~Director~~ Secretary
Eghard van der Hoven	Carolyn Hodge
Full name of Director/~~Secretary~~	Full name of ~~Director~~ Secretary

Taylor Burrell Barnett Town Planning & Design
187 Roberts Road Subiaco PO Box 8186 Subiaco East Western Australia 6008
Telephone (08) 9382 2911 Facsimile (08) 9382 4586 admin@tbbplanning.com.au
Toddville Prospecting Pty Ltd ABN 74 831 437 925

Our Ref: IKF:ct 03/138

28 June 2011

Attention: Graeme Bride

City of Albany
PO Box 484
ALBANY WA 6331

Dear Sir

LOT 1005 CATALINA ROAD, LANGE – DEVELOPMENT APPLICATION – GROUPED DWELLINGS

Taylor Burrell Barnett is pleased to submit the following Development Application for Lot 1005 Catalina Road, Lange (subject site), on behalf of the landowner Kingopen Pty Ltd (Controller acting).

This Application seeks the City of Albany's approval for the development of 86 Grouped Dwellings on the site.

In support of this Application please find the following enclosed:

- signed 'Application for Grant of Planning Scheme Consent' and 'R Codes Relaxation' forms completed pro-forma;
- 4 sets of Development Application plans prepared by Sprout Architects;
- a cheque (Suncorp Bank Cheque No. 123388) for $17,850.00 made payable to the City of Albany, being the required Development Application fee; and
- various supporting documentation.

1.0 SUBJECT SITE

1.1 Location

The subject site is 1.69 hectares in area fronting Stirling View Drive and extends from Brooks Garden Boulevard to Catalina Road, along a north-south axis, and is located within 300m of Chester Pass Road (refer to **Figure 1** – Local Plan).

The site is approximately 330m in length and 55m in width. The site has a maximum cross-fall of approximately 1 in 25 and has its long boundary orientating to the east, with views down the valley.

The site is divided by an 8m wide Council owned pedestrian access way (unconstructed) approximately 50m to the north of Catalina Road. The pedestrian access way will connect future residential subdivision to the east with the Catalina Central Shopping Precinct.

Surrounding land uses comprise the Catalina Central Neighbourhood Centre to the west; traditional single residential uses (undeveloped) to the east and south; and St Ives Retirement Village to the north (refer to Figure 1).

1.2 Title Information

The subject site is legally described as Lot 1005 on Deposited Plan 49235 – volume 2704, folio 627 (refer to attached Certificate of Title).

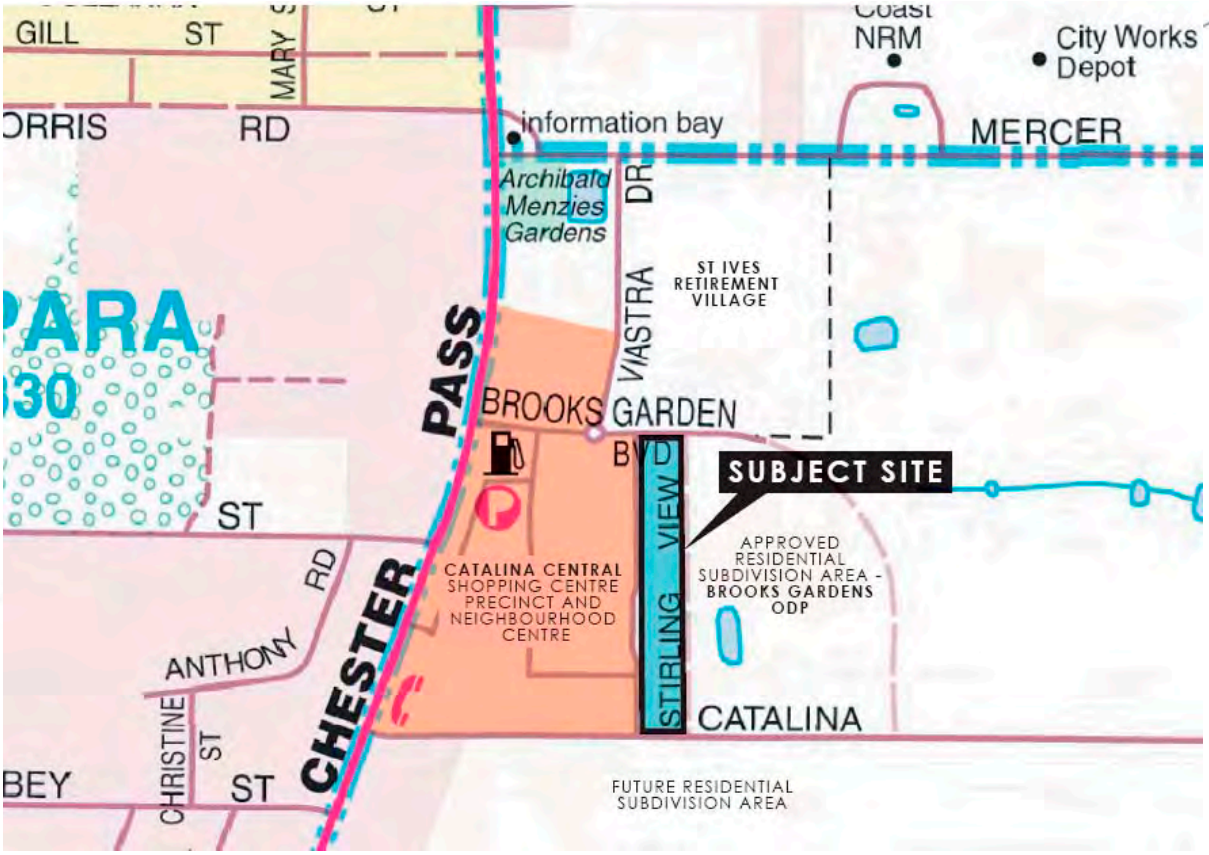


Figure 1: Location Plan

2.0 PLANNING CONTEXT

2.1 City of Albany District Town Planning Scheme No. 3

The subject site is zoned 'Mixed Business' under the City of Albany District Town Planning Scheme No. 3 (TPS3).

Clause 3.1.20 of TPS 3 states that the objectives of the 'Mixed Business' zone are:

> *"To provide for a wide range of light and service industry, wholesale sales, showrooms, trade and professional services which, by reason of their scale, character, operational or land requirements, are not generally appropriate in, or cannot conveniently or economically be accommodated in, either the central area, local shopping or industrial zones."*
>
> *and…*
>
> *"To ensure that the form of development in this area is robust, enabling future adaptation and re-use and presents an attractive street façade that will enhance the visual amenity of surrounding areas."*

Typically, the objectives for any zone are more tangibly expressed in the land use table of the related Scheme. Interestingly, the land use table of TPS 3 (Table 1 - Zones) is silent on whether a 'Grouped Dwelling' is, or is not, permitted within the 'Mixed Business' zone. Similarly, TPS 3 does not specify whether a 'Single House' or 'Multiple Dwellings' may be contemplated within the 'Mixed Business' zone.

These omissions seem to be at odds with the balance of Table 1. In this regard, the landowner has sought legal counsel from two suitably qualified solicitors (Flint Moharich and Lavan Legal), with experience in town planning law, as to whether 'Grouped Dwellings' can be approved by the City of Albany on the subject site (refer to legal advice from both solicitors attached).

The legal advice suggests that where a use is neither stated as permitted or not permitted, it can be treated as discretionary. This conclusion is principally derived from the fact that TPS 3 allows the Council to consider uses that are not listed. Specifically, Clause 3.2 states:

> *"Where an application is received for permission to use the land for a proposed use which is not contained in the "Use Class" table and the table does not, in the opinion of the Council contain a use class with which the proposed use is comparable, Council may determine that the proposed use:*
>
> *a) is considered to be consistent with the objectives of the zone and is therefore permitted;*
>
> *b) may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of Clause 5.1.4 in considering an application for planning approval; or*
>
> c) *is not consistent with the objectives of the particular zone and is therefore not permitted."*

It is the discretion available under item (b) that we request Council to exercise when determining this Application.

In addition, there are other aspects of the existing planning framework that supports Grouped Dwellings on the subject site. Clause 5.25 of TPS 3 requires development within the 'Mixed Business' zone to be in accordance with an adopted Precinct Plan and suggests that a Precinct Plan may include 'the proposed use of land within the precinct.' The Catalina Central Planning Framework (CCPF) includes an approved Precinct Plan and Structure Plan (Catalina Central) of which both specifically identify Grouped Dwellings on the subject site (whether textually or diagrammatically). This is considered in more detail below.

On the assumption that the proposed land use can be contemplated by Council, Section 5.25 of TPS 3, and the Residential Design Codes (R Codes) set out the development requirements for the zone. These have been used as the basis for the formulation of the Application and are considered later in this Application letter.

2.2 Catalina Central Planning Framework

Before development can be contemplated within the 'Mixed Business' zone, Council must first adopt a Precinct Plan for the subject land. If the landholding is sufficiently large, Council may also require the preparation and subsequent adoption of, a Structure Plan for the landholding.

As mentioned above, a Structure Plan has already been prepared and adopted for an area of land that encompasses the subject site, to guide the site's development as well as the balance of parent Lot 9000, now known as Lot 1001; and a landholding on the northern side of Brooks Garden Boulevard.

The CCPF replaces the Catalina Central Structure Plan which was adopted by Council in December 1999. The purpose of the CCPF is to provide guidance to the City of Albany, and proponents, on what constitutes the suitable development of the land. Specifically the CCPF contemplates the development of a Neighbourhood Centre (and associated Bulky Goods retailing) and looks at how such development might unfold, both logistically and in terms of the form it might take.

Under the CCPF, the subject site forms part of the Neighbourhood Centre site. The CCPF under section 4.2.1 identifies Grouped Dwellings as a use contained within Precinct 1. In addition, the building footprint shown over the site on the Structure Plan identifies that of a residential development; a development of sufficiently small scale units that read as Grouped Dwellings (refer to **Figure 2** – Structure Plan).

It is clearly evident, given the residential development illustrated on the CCPF in Figure 2 and the reference made by the CCPF at section 4.2.1 which states that Grouped Dwellings are included within Precinct 1 that Grouped Dwellings were / are contemplated on the subject site. Taylor Burrell Barnett and its client Kingopen Pty Ltd (Controller acting) have put this to the City's Planning Department previously, which has in return indicated a willingness to consider an application for Grouped Dwellings.

Figure 2: Structure Plan

3.0 PROPOSED DEVELOPMENT

3.1 Design Description / Philosophy

As previously mentioned the proposal involves the 'in-principle' development of 86 grouped dwellings; together with associated car parking, hardstand and landscaped areas. The Development Application plans have been adapted over time through extensive market research; consultation with the City's Technical Officers; and assessment against the statutory provisions and the design requirements within the CCPF.

The Grouped Dwellings are all proposed to be single storey. The clustering of 'villages' is a key aspect of the design with each 'village' consisting of between 12 and 16 dwellings; this will accommodate flexibility in staging of construction and marketing. The clustered buildings consist of no more than 4 dwellings. The dwellings address and overlook the communal streets; surrounding public street network; and pedestrian access way. The 'village' layout results in only 6 communal driveways and associated crossovers to Stirling View Drive. To assist in the diversity of streetscape, the development proposes an additional 5 single use driveways, in addition to visitor street parking to Stirling View Drive.

The site directly abuts the Catalina Central Shopping Precinct to the west. An access road, loading dock and customer car park are opposite the western boundary of the site. The Development Application plans depict garages and carports built to the western boundary of the site to create a buffer and mitigate potential noise impacts from the adjoining uses. Therefore, the internal living spaces of the dwellings to the western boundary are substantially offset, thereby minimising or reducing any acoustic impacts.

Screening through the use of landscaping and fencing is provided. In this regard, boundary fence detail is varied in material, height and offset along its length to soften the boundary condition and allow landscaping opportunities to the shopping centre side; in keeping with the high standard of architectural presentation for the development.

The 'village' philosophy allows the development to be staged and enables the reduction in scale of development, into clusters of buildings forming 'villages'. It is intended that these 'villages' will be named and architecturally themed to give occupants a sense of individuality. The internal communal driveways in each 'village' and the building arrangements accommodate the penetration of winter sun deep into the dwellings and their private open space courtyards.

The dwellings are a mix of one bedroom, two bedroom and two bedroom plus study types, promoting a diversity of housing choice and associated price. They range in area from 56m^2 internal floor area (excluding garage) for the one bedroom dwelling, to 82m^2 internal floor area (excluding garage) for the two bedrooms plus study dwelling. All dwellings are essentially at ground level and have convenient access to car parking. Dwelling placement ensures the privacy of exclusive use open space and the floor plans ensure adequate light, ventilation and direct access to private open space courtyards. The floor plan design also accommodates the positioning of large windows and sliding glass doors overlooking communal areas for the purposes of passive surveillance to both the communal, public streets and pedestrian access way.

Individual dwellings are emphasised via roof design with pyramid roof peaks and gables. It is envisaged roof and wall colour will further enhance opportunities for individuality. Access to front doors is by clearly marked and numbered pathways and entry gate networks directly off communal streets. Secondary access is also provided for dwellings facing public streets, and the pedestrian access way also incorporates secondary pedestrian access. The design provides opportunities for housing individuality to occupants and allows ease of 'way-finding' for residents and visitors.

Water collection tanks, screened drying facilities and site storage areas are provided for all dwellings and are planned to maintain useable private open space. In addition, these utilities are located to be screened from public areas and will be of materials and colours sympathetic with the overall development palette.

The master planning philosophy promotes 'randomness' and 'dynamisms' borne from a simplistic and functional format. The development planning allows for spaces to increase and decrease in width; offsetting of walls; car parking; garages; and a mix of openness and solidity dispersed against a green landscaped backdrop. A variety of elevation treatments and façade forms present to communal streets and to the public road system. The resulting presentation is of a medium density, 'green' development with architectural diversification and sophistication; a development which offers housing choice in a walkable community with immediate access to shopping and other local infrastructure. The development promotes affordable housing and, more importantly, affordable living.

Detailed streetscape perspectives of the development are attached to demonstrate the intended form and illustrate the high quality of housing proposed.

3.2 Village / Module Concept

As described above, the development is based on a series of 'villages' with the clustering of dwellings. The dwellings are based on a modular design which allows for dwelling types to be interchanged, with change reflective of market demand. It is intended that the development will be staged, based on market conditions, with a rolling development front, constructing 'villages' one at a time. The design and construction sequencing provides flexibility for the proponent and reduces risk.

It is intended that the Development Application plans will be approved as a 'highest case' (i.e. greatest number of two bedroom dwellings) with the option of replacing two bedroom dwellings with single bedroom dwellings. It is intended that any changes to dwelling type will occur at the building licence stage with only changes to the insides of dwellings permitted (i.e. floor layout). The external layout and appearance of the dwellings will not be altered as a result of change to the dwelling type. Car parking as depicted on the Development Application plans is based on the 'highest case' scenario, therefore, there will not be any shortfall from approved car parking as a result in change to the dwelling type.

This design and approval methodology will ensure that additional Development Applications or amendments to the Development Application approval will not be required as a result of changes in internal design.

4.0 DEVELOPMENT ASSESSMENT

The 'finer grain' detail of the proposal is examined in the following sections.

4.1 Catalina Central Planning Framework (CCPF)

Whilst the proposed land use accords with the CCPF, the layout of the dwellings and their distribution across the site varies from that depicted in the CCPF. Specifically, not all dwellings front Stirling View Drive and nor is the associated garaging accessed from a rear lane way or right of way. However, the proposed design is cognisant of the aims of the CCPF in respect of:

- limiting noise impacts from neighbouring retail and commercial development;
- achieving a high level of surveillance to Stirling View Drive, Catalina Road, Brooks Garden Boulevard and the pedestrian access way;
- creating a high quality and varied streetscape
- maximising opportunities for north and south facing dwellings for preferred solar orientation; and
- achieving a medium density development.

Given that these aspects of the CCPF have been in place since 2004-5, whilst adhering with the principles, it would be logical to allow individual site responsiveness to depart from the CCPF where compliance is demonstrated through various design techniques. In particular, the proposed development complies with the design criteria of the CCPF, which generally relate to limiting impacts (mainly noise) from the adjoining shopping centre, as follows:

- **Criteria 1:** Solid Brick Wall
  The development will contain a wall along the site's western boundary which will assist with noise mitigation and security. The wall's design and construction materials will be varied to add interest and discourage vandalism (refer to western elevation contained within the Development Application plans).

- **Criteria 2:** Dense tree and under storey planting
  The development will include dense tree and under storey planting throughout the site to improve residential amenity. In conjunction with the western wall and generous setbacks, suitable mitigation will be provided against possible noise from 'back of house' activities associated with the shopping centre.

- **Criteria 3:** Minimum separation of 27m from the rear wall of the shopping centre to adjoining residential development

  The Development Application plans depict a setback of 30.3m from the rear wall of the shopping centre to the closest dwelling.

- **Criteria 4:** Possibility of double glazed windows at the rear of the dwelling
  Double glazed windows will not be required on the basis of Herring Storer's advice.

A noise assessment was undertaken by Herring Storer to monitor noise activities associated with the adjoining shopping centre (refer to letter report prepared by Herring Storer attached). The objectives of the monitoring were to measure noise levels received within the proposed development from the shopping centre; assess noise emissions on the proposed development; and in the event of high levels, suggest possible noise mitigation measures. Herring Storer advises that noise generated from the shopping centre is at acceptable levels for nearby residents and in accordance with the Environmental Protection (Noise) Regulations 1997. Sufficient design measures implemented as part of the development will further minimise noise implications from the shopping centre for nearby residents. In this regard, the construction of a solid wall along the western boundary of the site will further reduce noise emissions by 5 dB(A).

Fencing

As depicted within the artist's perspectives and the Development Application plans, a mix of solid and permeable fencing will be provided throughout the development, providing for private security and surveillance of communal and public streets and the pedestrian access way, in accordance with the requirements of the CCPF.

Footpaths

A pedestrian path network has been depicted on the Development Application plans generally in accordance with the CCPF. The path network includes footpaths within the public road system along the northern, eastern and southern boundaries of the site; and through the existing pedestrian access way. The only exception relates to east-west access being provided through the northern portion of the site. In this regard, the Western Australian Planning Commission, as part of its consideration to approve the subdivision of the parent lot creating the subject site, deemed it appropriate for only the southern east-west pedestrian access to be provided (reflected in a condition of subdivision approval). Together with the narrow width of the site and support from the City's Technical Officers, it is considered appropriate for only a single east-west pedestrian access through the site to be provided. Residents will still be within an acceptable walkable catchment (i.e. less than 400m) to the neighbourhood centre having utilised the public road network (and associated paths) or existing pedestrian assess way.

4.2 Town Planning Scheme and Residential Design Codes

TPS 3 and the CCPF do not prescribe a residential density for the subject site or 'Mixed Business' zone. The Development Application plans depict 86 dwellings which equates to an approximate density of 51 dwellings per hectare. By definition under the Residential Design Codes (R Codes), the density of the development is categorised as 'medium'. In establishing an appropriate density for the site it is important to give consideration to the surrounding land uses (both existing and proposed). The subject site forms part of a neighbourhood centre and the only residential component for Precinct 1 under the CCPF.

The development of the site to a medium density is considered appropriate for the following reasons:

- is consistent with the requirements of WAPC key operational policies such as Liveable Neighbourhoods, which promote medium density housing in close proximity to areas with higher amenity such as a neighbourhood centre;

- is in close proximity to a neighbourhood centre which promotes walking as a mode of travel and thus decreases car dependency;

- is an appropriate transition of land use and density between the neighbourhood centre and approved low density residential development to the east (refer to Figure 1);

- will provide a diversity of lot sizes and dwelling types within the locality; and

- is a logical utilisation of land taking into consideration the surrounding existing and future residential catchment, which accommodates aged and dependent persons' dwellings, aged care, and low density residential.

Under Clause 5.7 (b) of TPS 3, unless stated otherwise, residential development that is dealt with by the R Codes is to conform to the provisions of the R Codes. The following provides an assessment of the Development Application plans against the R Codes, and provides justification in support of any departure from the acceptable development criteria.

4.3 Streetscape Requirements / Setbacks

Setbacks have been considered in the context of the CCPF and the R Codes. The only setback requirement of relevance to this Development Application under the CCPF is that side setbacks may be reduced to nil. Other setback requirements of the R Codes, being those proposed by the development in relation to adjoining public and communal streets, are discussed below.

Acceptable Development:

- **Primary Street**: 4m

  Assessment: The dwellings are primarily setback in accordance with the R Codes. Where minor incursions have occurred, an equal or greater portion of open space has been provided behind the street setback line in accordance with Figure 1a of the R Codes (refer to Setback Analysis Plan contained within the Development Application plans).

- **Garage setback**: 4.5m perpendicular to the street and 3m parallel to the street.

  Assessment: All garages perpendicular to the street are setback greater than 4.5m and behind the front of the dwelling. Some garages that are parallel to the street are setback less than 3m. Where these minor incursions have occurred an equal or greater portion of open space has been provided behind the street setback line in accordance with Figure 1a of the R Codes.

- **Communal Streets**: For dwellings abutting the communal street (common property accessway) (where the dwelling is not adjacent to the primary street) the minimum setback is 2.5m.

  Assessment: Some incursion is proposed into the 2.5m setback from the communal street (refer to the Village Town Planning Diagrams within the Development Application plans which depict these minor incursions with a red line). It is proposed to apply the performance criteria under section 6.2.1 of the R Codes, which states:

  "Buildings setback from street boundaries an appropriate distance to ensure they:

  - *contribute to the desired streetscape;*
  - *provide adequate privacy and open space for dwellings; and*
  - *allow safety clearances for easements for essential service corridors."*

The minor incursions proposed comply with the above criteria and are appropriate for the following reasons:

- A high quality streetscape is proposed as detailed in the Development Application plans and the streetscape perspectives.
- Each dwelling is provided with adequate privacy and open space.
- The communal streets are localised with each containing no greater than 16 dwellings.
- Sufficient space is provided for pedestrians.
- In some circumstances the minor incursions will be screened by vegetation.

All dwellings are provided with at least one habitable room window with clear view of the street. A conscious effort has been made to provide a high level of surveillance to the street. This has included permeable fencing with dwellings containing large windows.

As detailed on the Development Application plans elevations and streetscape perspectives a high quality finish is proposed which has an emphasis on providing interesting dwelling facades and a layout which promotes interaction at the street level.

4.4 Height

The proposed development is entirely single storey, with a roof height (to top of pitch) of 5.2m and 2.7m to ceiling height.

The CCPF specifies an 'overall building height benchmark' of 9m. The Development Application plans comply with this requirement.

The R Codes states a maximum building height of 9m to the top of a pitched roof, which allows for two storeys to be contemplated. Under a scenario where two storey development is prohibited by virtue of a Council policy, the R Codes states a maximum building height of 6m to the top of a single storey pitched roof is permitted. In either case the Development Application plans are compliant.

4.5 Plot Ratio

The CCPF does not consider a maximum plot ratio for Precinct 1. It is assumed that plot ratio will be controlled through the imposition of other development controls, such as setbacks, maximum lettable areas and maximum building heights.

Similarly, the R Codes does not prescribe a maximum plot ratio for Grouped Dwellings (of an R50 density) but again, controls plot ratio through the imposition of building height limits and open space requirements. The Development Application plans depict a plot ratio of 0.47:1.0.

4.6 Car Parking

Section 6.5, Acceptable Development Criterion A1ii of the R Codes states that two car parking spaces should be provided for each Grouped Dwelling, with at least one of these being for the exclusive use of the resident. Single-bedroom dwellings (of less than 60m^2 in plot ratio area) require only one car bay. Where two parking bays are allocated, they may be in tandem. Further to this, Criterion A1ii requires that visitor parking bays should be provided at a rate of one space for every 4 dwellings, or part thereof.

Based on a total of 86 Grouped Dwellings as proposed by the Development Application plans, a total of 184 car bays are required, summarised as follows:

- 10 x units of 1 bedroom = 10 car bays
- 76 x units of 2 or more bedrooms = 152 car bays
- 86 units x 1 car bay for every 4 units = 22 car bays
- Total bays 184

A total of 185 car parking bays are provided, consisting of 154 bays onsite and 31 parallel bays (to be constructed by the proponent subject to Council approval) provided within the existing public road network.

Given the parking supply is not provided entirely onsite, the City of Albany must exercise its discretion (as allowed by the relevant performance criteria 6.5.1 P1 of the R Codes) and determine if the supply is nonetheless adequate, and within sufficient proximity of the proposed development.

In considering this, Taylor Burrell Barnett respectfully requests that the City acknowledge the following:

- all units are within very easy access to a multitude of parking options including access to a dedicated bay, non-dedicated bays across the site, and street parking proposed immediately adjacent;
- the depth of the site is a maximum of 55 metres, suggesting a very short walk between the furthest part of the site and any on street bay (assuming onsite parking was 100% occupied);
- the development site abuts the Catalina Central Neighbourhood Centre meaning it is within a 400m walkable catchment of a range of goods and services, including one of Albany's largest supermarkets, a chemist, bank, newsagent and a range of specialty stores;
- it is anticipated that not all two bedroom dwelling occupants will have two cars; and
- the City has provided advice under its letter of 18 December 2007 that Stirling View Drive, constructed to a width of at least 16.75m, is sufficient to accommodate parallel car parking bays.

In addition, extensive market research and local real estate agent advice suggests the parking supply to be sufficient on the basis of the likely demographic that will occupy the dwellings. The dwellings offer a small floor plan of between 76m^2 and 102m^2 (inclusive of garaging). This is undeniably small in a relative context and as a consequence the dwellings are likely to appeal to smaller household types such as singles, aged persons, childless couples and low-income families. The mobility needs of the target market are typically different to an average household type in that walking and public transport modes are prevalent, and limited access to a second vehicle (or any vehicle) is quite typical.

The proponent has made initial contact with a local bus operator within Albany who has indicated a possibility to reopening the public bus system to Lange, if population and occupancy numbers support it.

4.7 Materials and Finishes

Section 5.0 – Design Guidelines of the CCPF outlines a series of preferred materials within the Precinct:

- Masonry: painted brickwork or concrete or off-form concrete featuring a sandy colour base with some accent colours;
- Face Brickwork: recommend to be limited to feature elements of composite construction;
- Natural Stone Cladding, such as sandstone and limestone; and
- Tilt up slab shall not be permitted unless compliant with the design considerations relating to 'windows, openings and façade treatments'.

The proponent is yet to finalise a materials palette for the proposal but will do so after development approval is granted. Given that more detailed planning and design including architectural specification (of which the materials palette forms part) will occur post-approval, this is more appropriately dealt with as a condition of approval. The sequence of events (being planning consent, preparation of a specification, tendering, and award of contracts) allows the logical succession of design and planning approvals. Therefore, it should be appreciated that the absence of a materials palette is simply a consequence of timing.

Nevertheless Taylor Burrell Barnett can confirm that the development will reflect the recommendations of the CCPF in regard to a final colour scheme and construction materials. The following observations are also offered:

- The elevations and streetscape perspectives appended to this Application letter are a fair representation of the proponent's preferred final aesthetic. The plans illustrate diverse construction materials and finishes for texture and variation.
- Finish colours will be of cool, neutral tones.
- The proponent seeks to deliver an unobtrusive development with a modern design sensibility.
- Unarticulated glazing (i.e. glass curtain façade) and reflective glazing will not feature in the final built product.

Given the proponent's commitment to a quality built product, a suitable condition on the development approval could ensure that this matter is addressed to the City's satisfaction, at the building licence stage.

The Development Application plans depict 11 parapet walls, associated with garages, along the western boundary of the site. Consideration is being given by the proponent to presenting an opportunity to local artists to paint murals on these parapet walls in order to provide local interest; improve amenity; and to discourage anti-social behaviour such as graffiti. It is noted that the CCPF promotes public art in the form of murals. The proponent would welcome the opportunity to discuss this further with the City of Albany.

4.8 Incidental Development

The Development Application plans depict provision for private storage (minimum size of 4m^2) and clothes drying apparatus for the exclusive use of each Grouped Dwelling.

Each Grouped Dwelling will be provided with ample space to store bins, with bin pads provided within the Stirling View Drive reserve, for convenient pick up by the City's rubbish collection service on collection days.

5.0 MOVEMENT SYSTEMS

Access to the proposed development is available via Stirling View Drive. Communal streets extending from Stirling View Drive have a minimum width of 4m dedicated to vehicular movement with opportunities for passing in accordance with the R Codes. As part of the communal street network, marked pedestrian paths are provided to serve all dwellings part of each communal street. The communal streets have been designed to be accessed by local resident / traffic only, in a controlled environment that enables vehicles and pedestrians to safely use at the same time.

As referred to previously, the proposed development will utilise the existing pedestrian access way. As part of the proponent's commitment to delivering a high quality, medium residential development, the proponent will construct and landscape the pedestrian access way to a standard commensurate to, or better than, the City's requirements.

Based on the existing standard of Stirling View Drive; connectivity to the public road network; and consideration of the subject site for Grouped Dwellings as part of the CCPF, it is not expected that the proposed access arrangements will have a detrimental impact on the surrounding traffic environment. The upgrade of Stirling View Drive to incorporate on-street parking as depicted indicatively on the Development Application plans will require detailed design and approval to the satisfaction of the City of Albany.

6.0 OPEN SPACE

Open space considerations are not discussed in the CCPF. Section 6.4 of the R Codes, however stipulates that open space should be provided as 'private outdoor living' for the exclusive use of each unit, and for communal purposes. The latter is calculated as a 'minimum total percentage of site'.

For this development (which is regarded as being a medium density – equivalent to R50), 45% or 7,331m^2 of communal open space is required. The development proposes 8,644m^2 or 53% of the site.

A minimum outdoor living area, or courtyard, of 16m^2 is required. The Development Application plans (refer to Village Town Planning Diagram) depict an exclusive outdoor living area a minimum of 16m^2, and in most cases the open space area for each dwelling greatly exceeds this. In addition, some dwellings have more than one courtyard area.

Whilst the requisite amount of open space has been provided, some open space areas are not provided behind the street setback area as required by the R Codes. The clustering of dwellings to create the modular design has resulted in a departure from the R Codes regarding the location of the open space areas. However, when considered in the context of the overall design and total open space areas across the development, the location of these open space areas is considered justified and compliant with the performance criteria of the R Codes under Clause 6.4.2, for the following reasons:

- capable of use in conjunction with a habitable room of the dwelling;
- take best advantage of the northern aspect of the site;
- are open to winter sun;
- improve the Stirling View Drive streetscape;
- create community interaction at street level; and
- are suitably screened with opportunities for passive surveillance of the street.

Overall, it is considered that the proposed development is compliant with the R Codes open space performance criteria. The open space allocation exceeding the minimum R Codes requirement will provide a high level of amenity, particularly considering the module format.

7.0 SERVICING

An engineer's servicing report (refer attached) has been prepared by Wood and Grieve engineers which addresses development of the site for 86 Grouped Dwellings. The servicing report addresses key aspects of servicing infrastructure including reticulated sewer and water, power, telecommunications and drainage. The report concluded that the site can be readily serviced via minor infrastructure upgrades and extension of services.

8.0 DEVELOPMENT ENCROACHMENT

During construction of the rear bitumen accessway on the shopping centre site, a small encroachment has occurred in the site's north west corner (refer to site survey attached). The Development Application plans depict a minor truncation (total area of approximately 9m^2) for Unit 80 so that development can proceed prior to resolution of this matter. Notwithstanding, the proponent will be pursuing this matter with the adjoining landowner in order to resolve the 'illegal' works, in the meantime.

9.0 APPROVAL PERIOD

In anticipation of a condition being included which limits the approval of this Development Application to two years, it is requested that the City extend the standard approval period to at least 5 years on the expectation that market demand will be less than that required to constitute the development being substantially commenced within 2 years. In addition, the high number of dwellings proposed in this Application supports an extended approval period.

10.0 CONCLUSION

The Development Application plans and supporting documentation present a high quality development that is consistent with the intended, medium density Grouped Dwelling use identified under the Catalina Central Planning Framework.

It is apparent that the proposed development centrally located between the existing Catalina Central commercial development and the future single residential development to the east is perfectly located to provide the transition of uses promoted in all planning theory and policy.

The Artist's Perspective No. 1 illustrated below, clearly demonstrates that the proposed Grouped Dwelling development is highly effective in visually and physically screening the Catalina Central Neighbourhood Centre.

Artist's Perspective No. 1

Artist's Perspective No. 2 illustrates how the permeable network of the inter-connecting path system will allow efficient and legible access to the neighbourhood facilities, enabling the right mix of uses to create more sustainable development.

Whilst applied to Perth and Peel, the principles of State Planning Policy 4.2 Activity Centres may also be applied to this development. In particular, 5.1.2 states that:

> *"Neighbourhood Centres are important local community focal points that help to provide for the main daily to weekly household shopping and community needs. They are also a focus for medium density housing …"*

Artist's Perspective No. 2

The strategic planning principles associated with activity centres, together with the specific local planning framework, identifies the subject site for grouped dwelling development in accordance with the development proposal.

The Development Application plans are the culmination of extensive market research; liaison with the City's Technical Officers; and assessment against the statutory provisions of the City of Albany and Residential Design Codes.

Justification has been provided in support of any departures from the acceptable development criteria of the R Codes and it has been demonstrated that the level of detail provided and the design proposed, is in excess of that expected for the site. Legal advice has been provided which supports the proposed use and underlines the fact the City is in a position to approve Grouped Dwellings despite the anomaly which exists within the Town Planning Scheme Zoning Table.

Accordingly, we respectfully request the City's consideration of the Application and grant conditional Approval to Commence Development in respect of the proposed medium density, residential development, comprising 86 Grouped Dwellings on Lot 1005 Catalina Road, Lange in accordance with Sprout Architect's plan which consist of:

- Site Plan
- Village Plan
- Village Town Planning Diagram
- Car Parking Allocations
- Street Elevations
- Western Boundary Fence Elevation
- Unit Type Plans

- Building Module Type A Plans and Elevations
- Setback Analysis Plan
- Site Cover
- Strata Plan

Should you have any queries, or wish to discuss any of the abovementioned matters further, please do not hesitate to contact the undersigned or Lex Barnett on 9382 2911.

Yours faithfully
TAYLOR BURRELL BARNETT

LUKE MONTGOMERY
ASSOCIATE

CC: LM Investments – Scott King

AGENDA ITEM 2.3 REFERS

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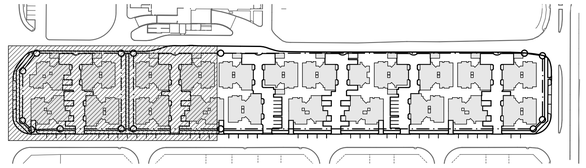


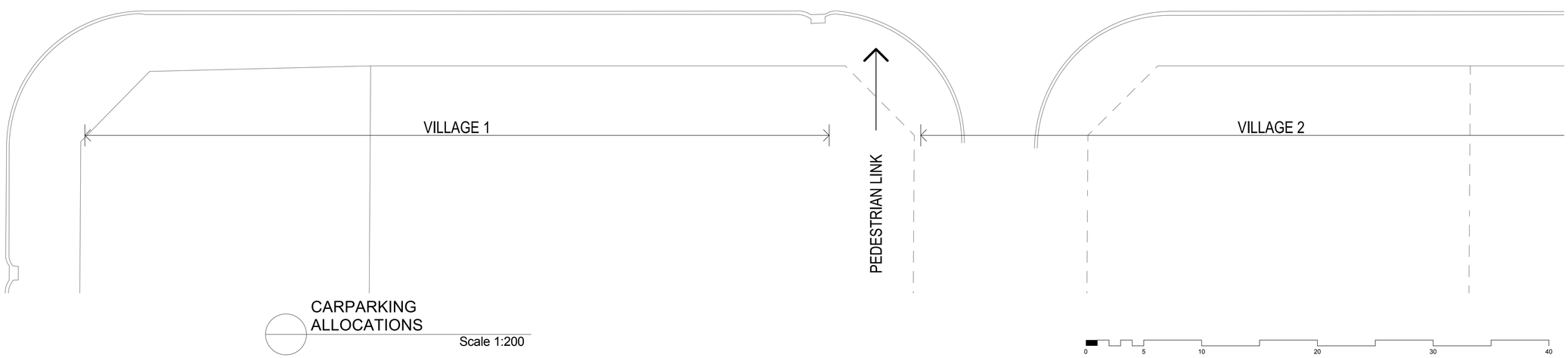
KEY PLAN

Scale 1:2000

JOINS DRAWING SD21

CATALINA ROAD

STIRLING VIEW DRIVE



CARPARKING ALLOCATIONS

Scale 1:200

0 5 10 20 30 40

sprout architects

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project

PROPOSED GROUPED HOUSING DEVELOPMENT

for

KINGOPEN PTY LTD

at

LOT 1005
CATALINA ROAD, LANGE
WITHIN THE CATALINA CENTRAL STRUCTURE PLAN

drawing

CARPARKING ALLOCATIONS - SHEET 1

date **JUN 2011** drawn **MS** scale **1:200 @A1**

drawing no. **11002 SD20** revision **B**

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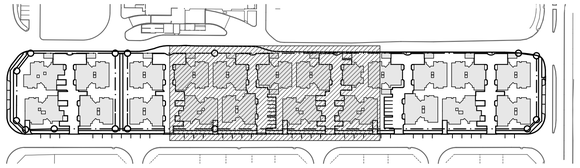

KEY PLAN
Scale 1:2000

JOINS DRAWING SD20

JOINS DRAWING SD22

UNIT 25 2 CAR SPACES
UNIT 26 2 CAR SPACES
UNIT 27 1 CAR SPACE
UNIT 28 2 CAR SPACES
UNIT 29 2 CAR SPACES
UNIT 30 2 CAR SPACES
UNIT 31 1 CAR SPACE
UNIT 32 2 CAR SPACES
UNIT 33 2 CAR SPACES
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UNIT 59 2 CAR SPACES
UNIT 61 2 CAR SPACES

STIRLING VIEW DRIVE

VILLAGE 3

VILLAGE 4

CARPARKING ALLOCATIONS
Scale 1:200

0 5 10 20 30 40

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drawing
CARPARKING ALLOCATIONS - SHEET 2

date **JUN 2011** drawn **MS** scale **1:200 @A1**

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B	DA ISSUE	MS	16/06/11

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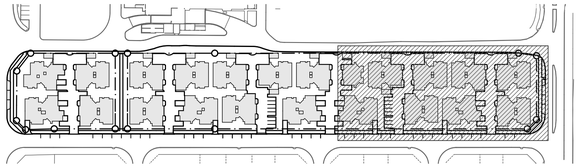

KEY PLAN
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CARPARKING ALLOCATIONS
Scale 1:200

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PROPOSED GROUPED HOUSING DEVELOPMENT

for
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at
LOT 1005
CATALINA ROAD, LANGE
WITHIN THE CATALINA CENTRAL STRUCTURE PLAN

drawing
CARPARKING ALLOCATIONS - SHEET 3

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AGENDA ITEM 2.3 REFERS

REV	DESCRIPTION	DRAWN	DATE
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B	DA ISSUE	MS	16/06/11

LOCALITY PLAN
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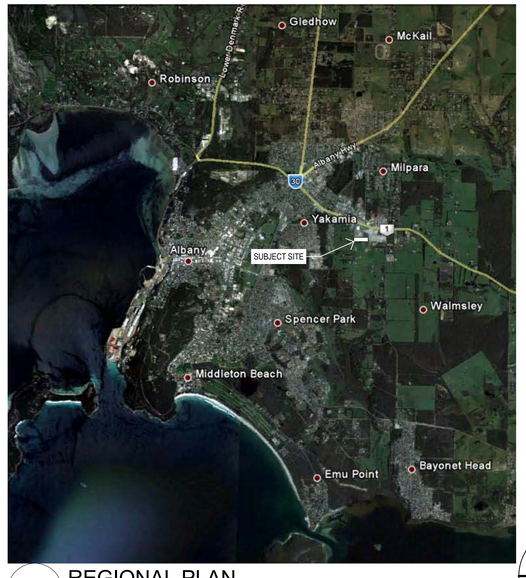

REGIONAL PLAN
Scale NTS

sprout architects
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project
PROPOSED GROUPED HOUSING DEVELOPMENT
for
KINGOPEN PTY LTD
at
LOT 1005
CATALINA ROAD, LANGE
WITHIN THE CATALINA CENTRAL STRUCTURE PLAN

drawing
LOCALITY PLAN

date **JUN 2011** drawn **MS** scale **AS SHOWN @A1**
drawing no. **11002 SD01** revision **B**

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AGENDA ITEM 2.3 REFERS

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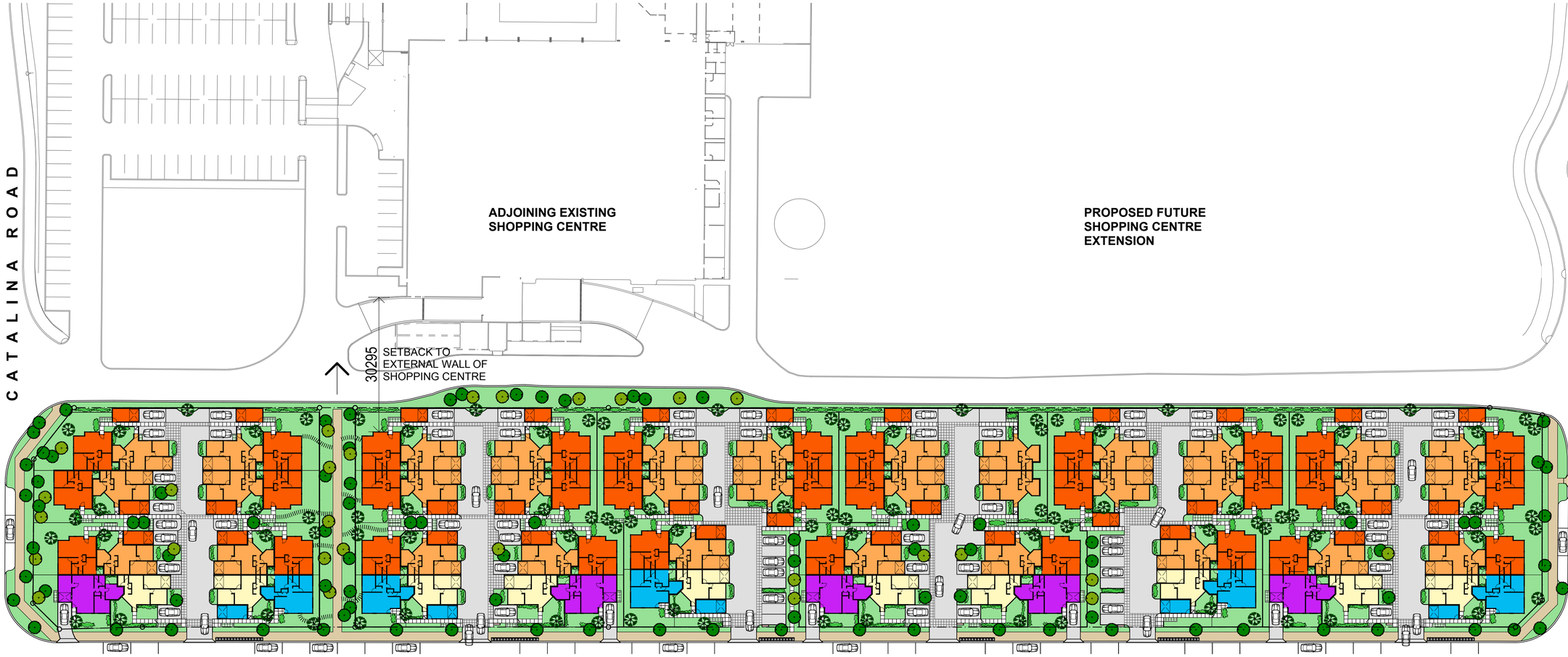

SITE PLAN
Scale 1:500

LEGEND:

	1 BED	10 UNITS (12%)
	2 BED TYPE 1	32 UNITS (37%)
	2 BED TYPE 2	34 UNITS (39%)
	2 BED TYPE 3	5 UNITS (6%)
	2 BED + STUDY	5 UNITS (6%)
	TOTAL	**86 UNITS**

CARPARKING

		REQUIRED	PROVIDED
1 BED	1 CAR PER UNIT (x10 UNITS)	= 10	= 14
2 BED TYPE 1	2 CARS PER UNIT (x32 UNITS)	= 64	= 61
2 BED TYPE 2	2 CARS PER UNIT (x34 UNITS)	= 68	= 59
2 BED TYPE 3	2 CARS PER UNIT (x5 UNITS)	= 10	= 10
2 BED + STUDY	2 CARS PER UNIT (x5 UNITS)	= 10	= 10
VISITOR	1 CAR PER 4 UNITS	= 22	= 31
TOTAL CARS		**= 184**	**= 185**

0 10 20 30 40 50 100

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project
PROPOSED GROUPED HOUSING DEVELOPMENT

for
KINGOPEN PTY LTD

at
LOT 1005
CATALINA ROAD, LANGE
WITHIN THE CATALINA CENTRAL STRUCTURE PLAN

drawing
SITE PLAN

date **JUN 2011** drawn **MS** scale **1:500 @A1**

drawing no. **11002 SD02** revision **B**

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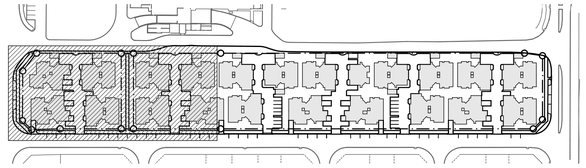
AGENDA ITEM 2.3 REFERS

REV	DESCRIPTION	DRAWN	DATE
A	PRE-LODGEMENT ISSUE	MS	28/04/11
B	DA ISSUE	MS	16/06/11



KEY PLAN

Scale 1:2000

JOINS DRAWING SD04

PEDESTRIAN ACCESS WAY CONNECTING TO ADJACENT SHOPPING CENTRE

EXISTING ADJACENT SHOPPING CENTRE

CATALINA ROAD

UNIT 1 · UNIT 2 · UNIT 3 · UNIT 4 · UNIT 5 · UNIT 6 · UNIT 7 · UNIT 8 · UNIT 9 · UNIT 10 · UNIT 11 · UNIT 12 · UNIT 13 · UNIT 14 · UNIT 15 · UNIT 16 · UNIT 17 · UNIT 18 · UNIT 19 · UNIT 20 · UNIT 21 · UNIT 22 · UNIT 23 · UNIT 24 · UNIT 25 · UNIT 26 · UNIT 27 · UNIT 28 · UNIT 29 · UNIT 31 · UNIT 32

BIN PADS FOR STREET COLLECTION

BIN PADS FOR STREET COLLECTION

STIRLING VIEW DRIVE

VILLAGE 1

VILLAGE 2

PEDESTRIAN LINK

VILLAGE PLAN

Scale 1:200

0 5 10 20 30 40

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PROPOSED GROUPED HOUSING DEVELOPMENT

for

KINGOPEN PTY LTD

at

LOT 1005
CATALINA ROAD, LANGE
WITHIN THE CATALINA CENTRAL STRUCTURE PLAN

drawing

VILLAGE PLAN - SHEET 1

date **JUN 2011** drawn **MS** scale **1:200 @A1**

drawing no. **11002 SD03** revision **B**

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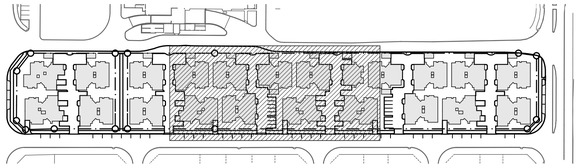
A	PRE-LODGEMENT ISSUE	MS	28/04/11
B	DA ISSUE	MS	16/06/11



KEY PLAN
Scale 1:2000

JOINS DRAWING SD03

JOINS DRAWING SD05

UNIT 25 UNIT 26 UNIT 27 UNIT 28 UNIT 29 UNIT 30 UNIT 31 UNIT 32 UNIT 33 UNIT 34 UNIT 35 UNIT 36 UNIT 37 UNIT 38 UNIT 39 UNIT 40 UNIT 41 UNIT 42 UNIT 43 UNIT 44 UNIT 45 UNIT 46 UNIT 47 UNIT 48 UNIT 49 UNIT 50 UNIT 51 UNIT 52 UNIT 53 UNIT 54 UNIT 55 UNIT 56 UNIT 57 UNIT 58 UNIT 59 UNIT 61

ION

STIRLING VIEW DRIVE

BIN PADS FOR STREET COLLECTION

BIN PADS FOR STREET COLLECTION

VILLAGE 3

VILLAGE 4

VILLAGE PLAN
Scale 1:200

0 5 10 20 30 40

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PROPOSED GROUPED HOUSING DEVELOPMENT
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CATALINA ROAD, LANGE
WITHIN THE CATALINA CENTRAL STRUCTURE PLAN

drawing
VILLAGE PLAN - SHEET 2

date **JUN 2011** drawn **MS** scale **1:200 @A1**
drawing no. **11002 SD04** revision **B**

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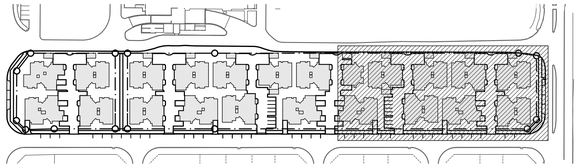
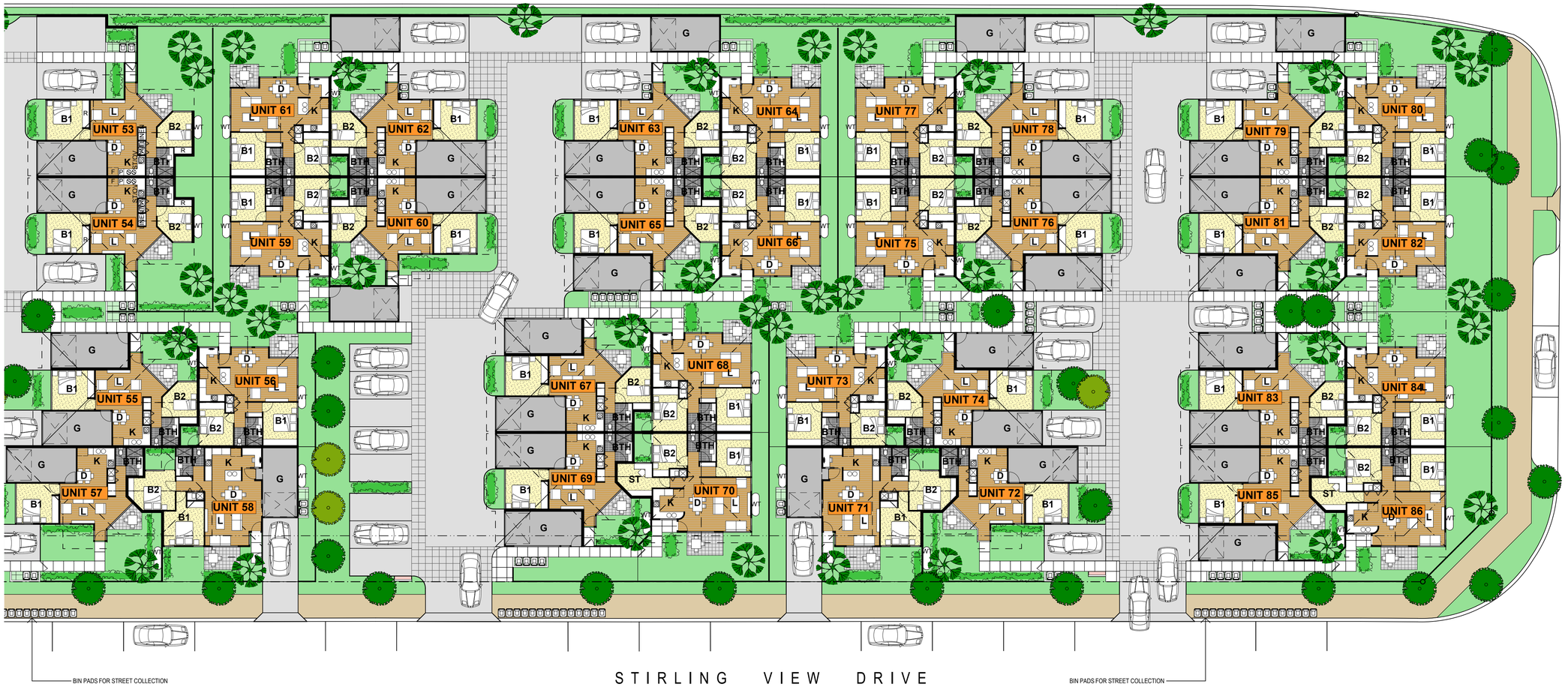
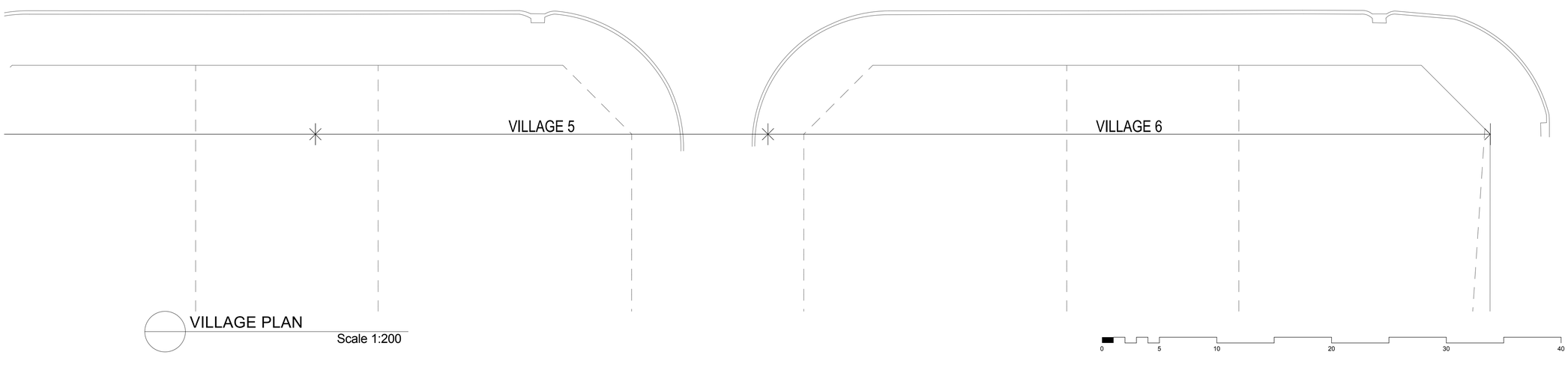
REV	DESCRIPTION	DRAWN	DATE
A	PRE-LODGEMENT ISSUE	MS	28/04/11
B	DA ISSUE	MS	16/06/11



KEY PLAN
Scale 1:2000

JOINS DRAWING SD04





VILLAGE PLAN
Scale 1:200

0 5 10 20 30 40

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PROPOSED GROUPED HOUSING DEVELOPMENT

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KINGOPEN PTY LTD

at
LOT 1005
CATALINA ROAD, LANGE
WITHIN THE CATALINA CENTRAL STRUCTURE PLAN

drawing
VILLAGE PLAN - SHEET 3

date **JUN 2011** drawn **MS** scale **1:200 @A1**

drawing no. **11002 SD05** revision **B**

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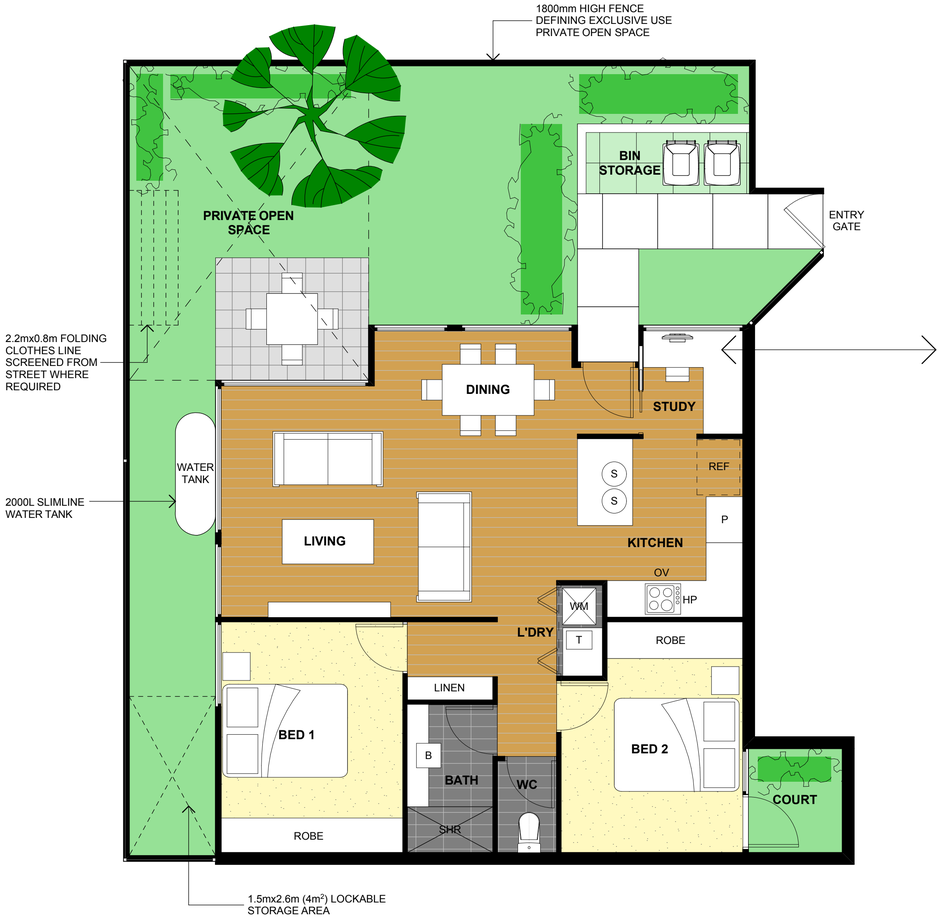
REV	DESCRIPTION	DRAWN	DATE
A	PRE-LODGEMENT ISSUE	MS	28/04/11
B	DA ISSUE	MS	16/06/11

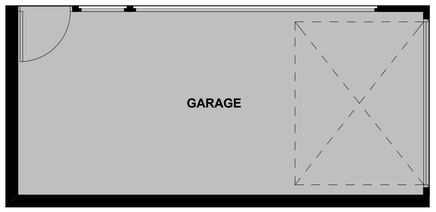


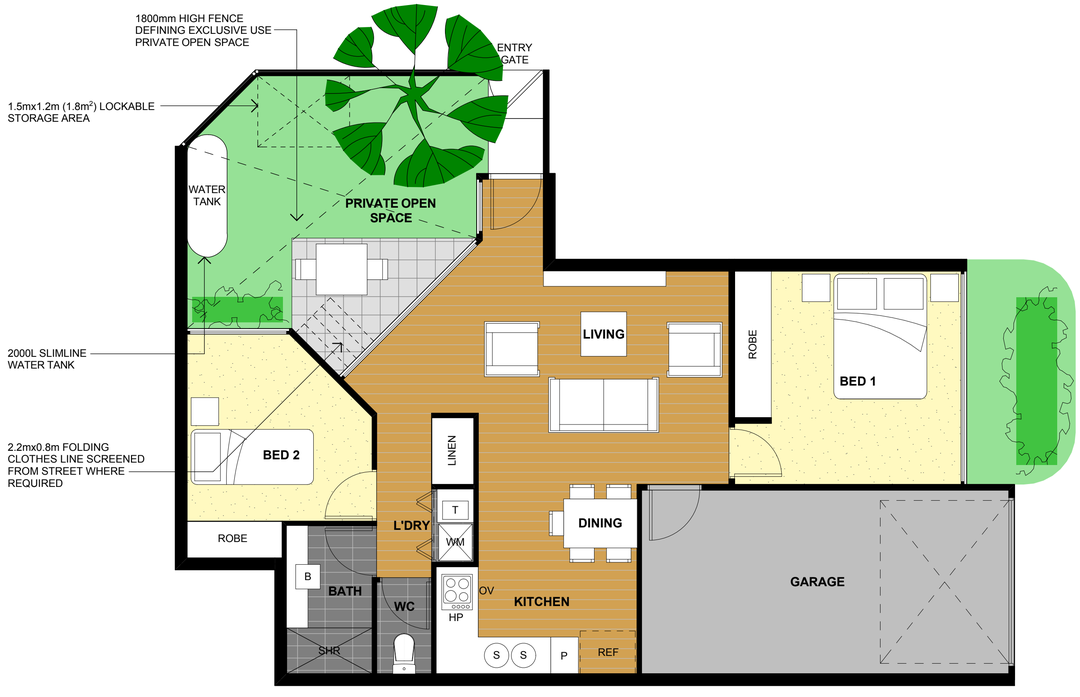
2 BED TYPE 1

Scale 1:50

AREA:
INTERNAL = 73m²
GARAGE (SEPERATE)= 22m²
TOTAL = 95m²

UNIT 3, 5, 7, 10, 12, 14, 19, 21, 23, 26, 28, 30, 35, 37, 39, 42, 44, 47, 49, 51, 56, 59, 61, 64, 66, 68, 73, 75, 77, 80, 82, 84





2 BED TYPE 2

Scale 1:50

AREA:
INTERNAL = 64m²
GARAGE (SEPERATE)= 20m²
TOTAL = 84m²

UNIT 4, 6, 8, 9, 11, 13, 20, 22, 24, 25, 27, 29, 36, 38, 40, 41, 43, 48, 50, 52, 53, 54, 55, 60, 62, 63, 65, 67, 74, 76, 78, 79, 81, 83

0 5 10

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project
PROPOSED GROUPED HOUSING DEVELOPMENT
for
KINGOPEN PTY LTD
at
LOT 1005
CATALINA ROAD, LANGE
WITHIN THE CATALINA CENTRAL STRUCTURE PLAN

drawing
UNIT TYPE PLANS - SHEET 1

date **JUN 2011** drawn **MS** scale **1:50 @A1**

drawing no. **11002 SD06** revision **B**

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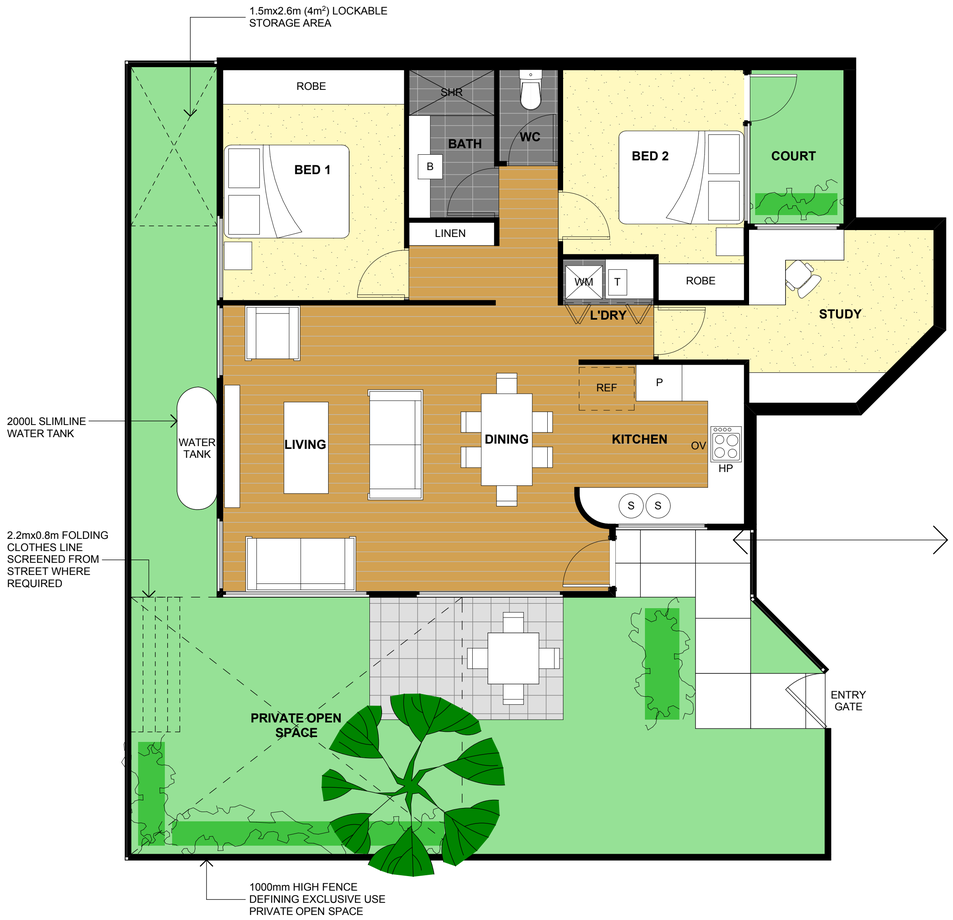
AGENDA ITEM 2.3 REFERS

REV	DESCRIPTION	DRAWN	DATE
A	PRE-LODGEMENT ISSUE	MS	28/04/11
B	DA ISSUE	MS	16/06/11



2 BED + STUDY

Scale 1:50

AREA:
INTERNAL = 81m²
GARAGE (SEPERATE)= 21m²
TOTAL = 102m²

UNIT 16, 17, 33, 70, 86

1 BED

Scale 1:50

AREA:
INTERNAL = 56m²
GARAGE (SEPERATE)= 20m²
TOTAL = 76m²

UNIT 2, 15, 18, 31, 34, 46, 57, 69, 72, 85

0 5 10

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PROPOSED GROUPED HOUSING DEVELOPMENT

for
KINGOPEN PTY LTD

at
LOT 1005
CATALINA ROAD, LANGE
WITHIN THE CATALINA CENTRAL STRUCTURE PLAN

drawing
UNIT TYPE PLANS - SHEET 2

date **JUN 2011** drawn **MS** scale **1:50 @A1**

drawing no. **11002 SD07** revision **B**

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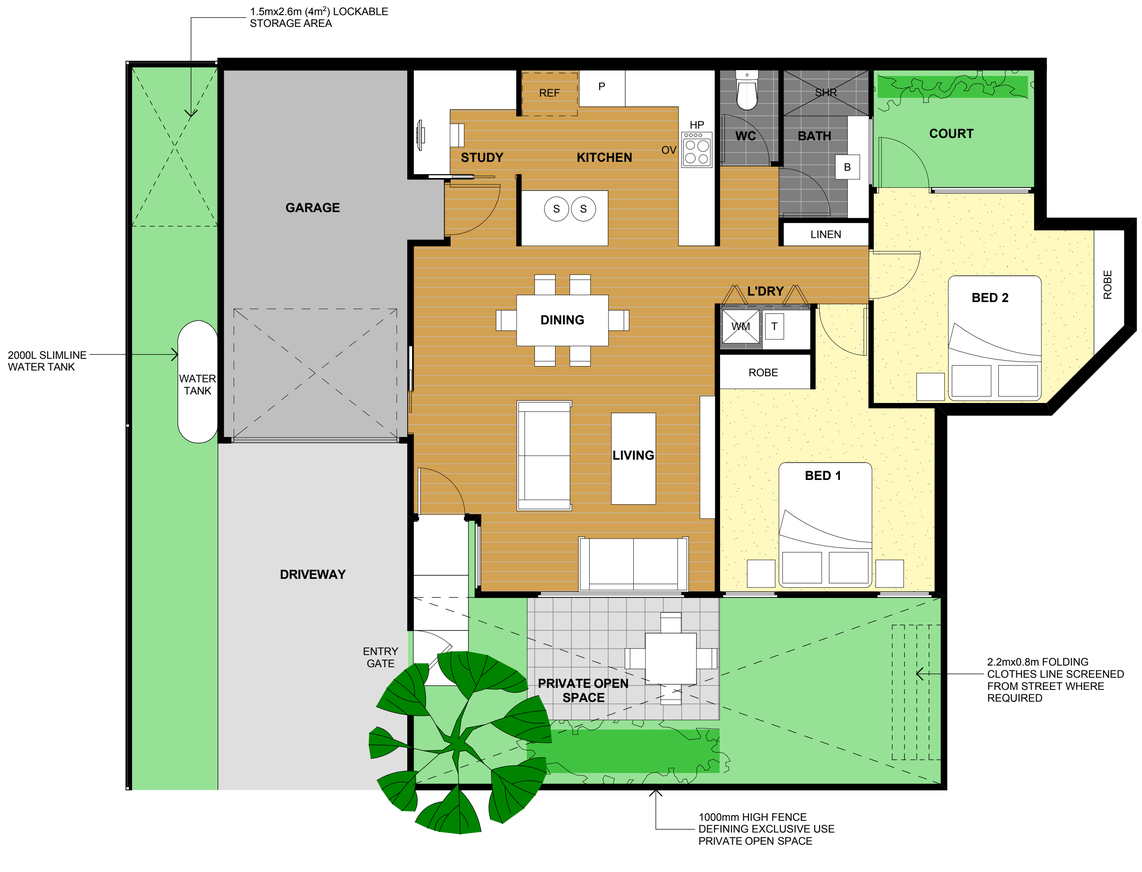
AGENDA ITEM 2.3 REFERS

REV	DESCRIPTION	DRAWN	DATE
A	PRE-LODGEMENT ISSUE	MS	28/04/11
B	DA ISSUE	MS	16/06/11



2 BED TYPE 3

Scale 1:50

AREA:
INTERNAL = 82m²
GARAGE (SEPERATE)= 19m²
TOTAL = 101m²

UNIT 1, 32, 45, 58, 71

0 5 10

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PROPOSED GROUPED HOUSING DEVELOPMENT

for
KINGOPEN PTY LTD

at
LOT 1005
CATALINA ROAD, LANGE
WITHIN THE CATALINA CENTRAL STRUCTURE PLAN

drawing
UNIT TYPE PLANS - SHEET 3

date **JUN 2011** drawn **MS** scale **1:50 @A1**

drawing no. **11002 SD08** revision **B**

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AGENDA ITEM 2.3 REFERS

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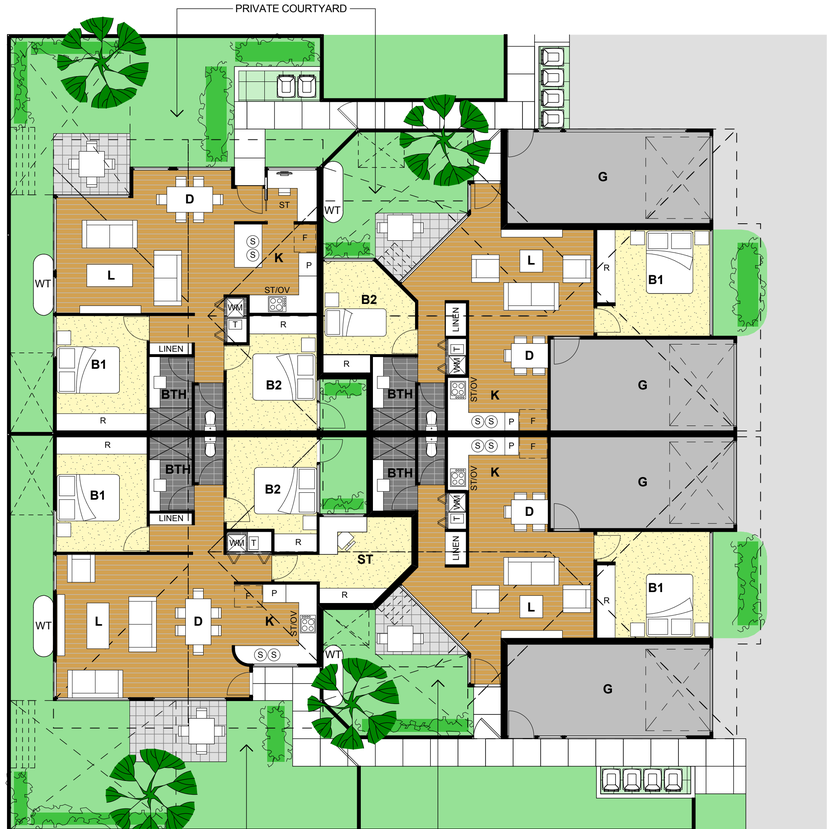
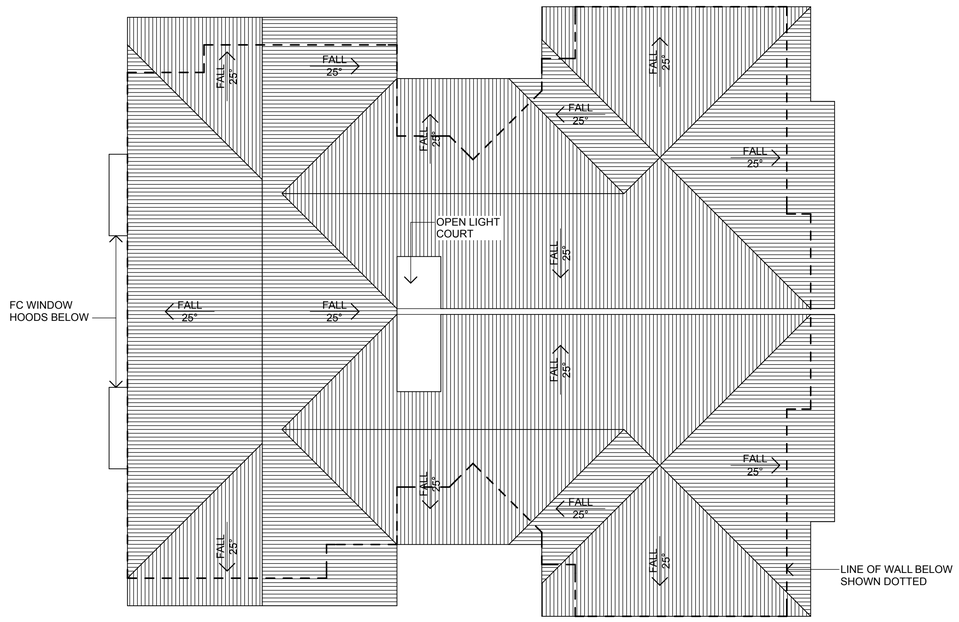
B	DA ISSUE	MS	16/06/11

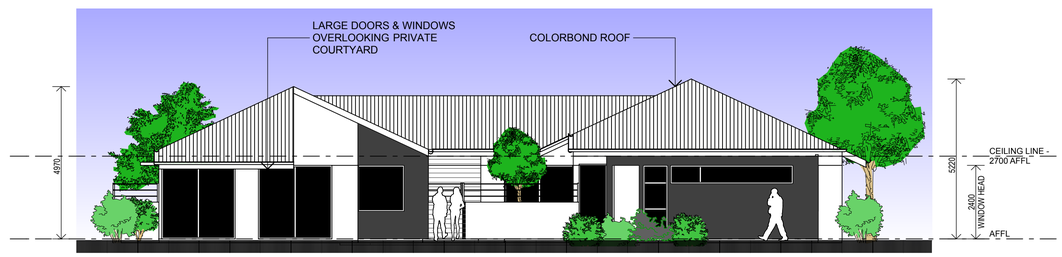


GROUND FLOOR PLAN -
TYPICAL BUILDING
Scale 1:100

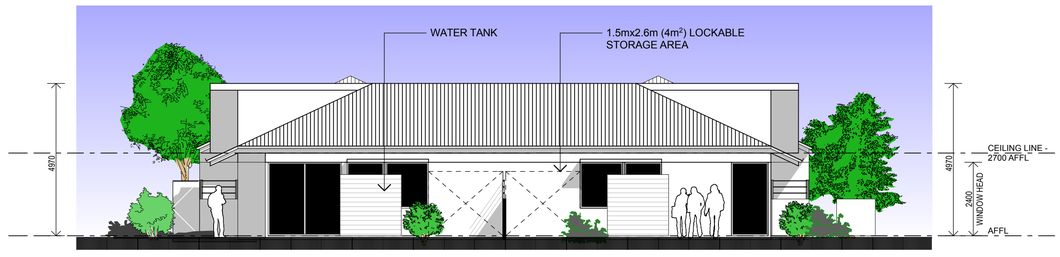


ROOF PLAN -
TYPICAL BUILDING
Scale 1:100

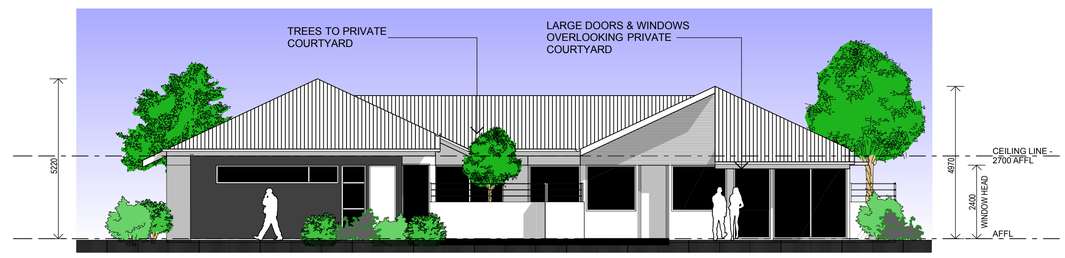
NORTH ELEVATION -
TYPICAL BUILDING
Scale 1:100



EAST ELEVATION -
TYPICAL BUILDING
Scale 1:100



SOUTH ELEVATION -
TYPICAL BUILDING
Scale 1:100



WEST ELEVATION -
TYPICAL BUILDING
Scale 1:100

0 5 10 20

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PROPOSED GROUPED HOUSING DEVELOPMENT

for
KINGOPEN PTY LTD

at
LOT 1005
CATALINA ROAD, LANGE
WITHIN THE CATALINA CENTRAL STRUCTURE PLAN

drawing
BUILDING MODULE TYPE A
PLANS & ELEVATIONS

date **JUN 2011** drawn **MS** scale **1:100 @A1**

drawing no. **11002 SD09** revision **B**

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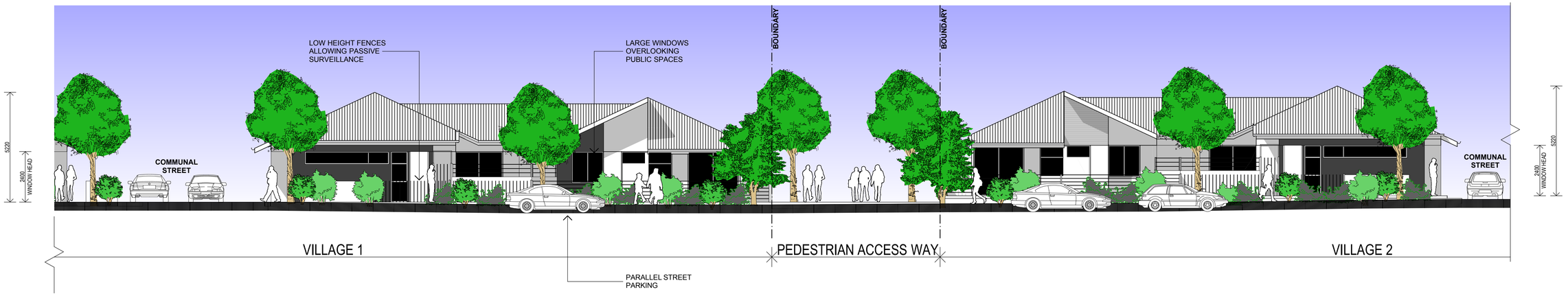
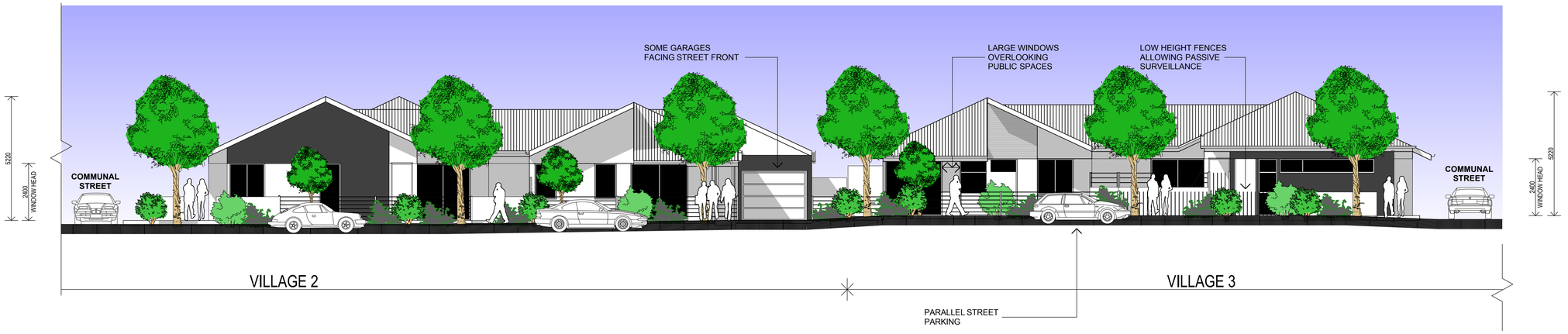
REV	DESCRIPTION	DRAWN	DATE
A	PRE-LODGEMENT ISSUE	MS	21/04/11
B	DA ISSUE	MS	16/06/11



STIRLING VIEW DRIVE
STREET ELEVATION
Scale 1:100



STIRLING VIEW DRIVE
STREET ELEVATION
Scale 1:100

0 5 10 20

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PROPOSED GROUPED HOUSING DEVELOPMENT
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at
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CATALINA ROAD, LANGE
WITHIN THE CATALINA CENTRAL STRUCTURE PLAN

drawing
STREET ELEVATIONS - SHEET 1

date **JUN 2011** drawn **MS** scale **1:100 @A1**
drawing no. **11002 SD10** revision **B**

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REV	DESCRIPTION	DRAWN	DATE
A	PRE-LODGEMENT ISSUE	MS	21/04/11
B	DA ISSUE	MS	16/06/11

CATALINA ROAD
ELEVATION

Scale 1:100

PEDESTRIAN ACCESS WAY
ELEVATION

Scale 1:100

0 5 10 20

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PROPOSED GROUPED HOUSING DEVELOPMENT

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at
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CATALINA ROAD, LANGE
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drawing
STREET ELEVATIONS - SHEET 2

date **JUN 2011** drawn **MS** scale **1:100 @A1**

drawing no. **11002 SD11** revision **B**

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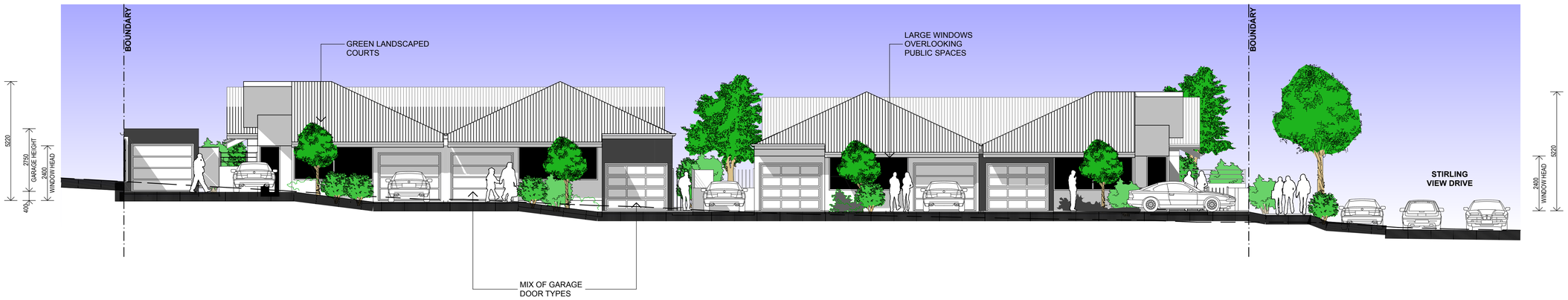
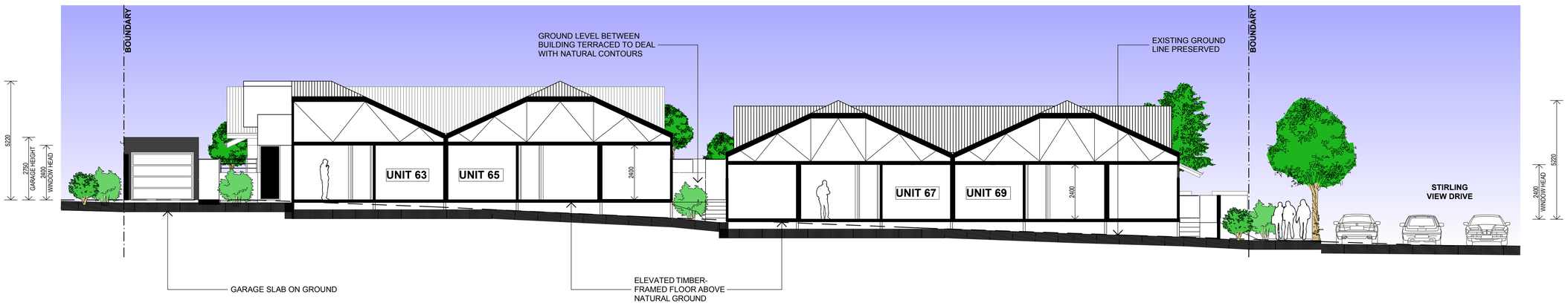
AGENDA ITEM 2.3 REFERS

REV	DESCRIPTION	DRAWN	DATE
B	DA ISSUE	MS	16/06/11



COMMUNAL STREET ELEVATION

Scale 1:100



TYPICAL VILLAGE SECTION

Scale 1:100

0 5 10 20

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project

PROPOSED GROUPED HOUSING DEVELOPMENT

for

KINGOPEN PTY LTD

at

LOT 1005
CATALINA ROAD, LANGE
WITHIN THE CATALINA CENTRAL STRUCTURE PLAN

drawing

STREET ELEVATIONS - SHEET 3

date **JUN 2011** drawn **MS** scale **1:100 @A1**

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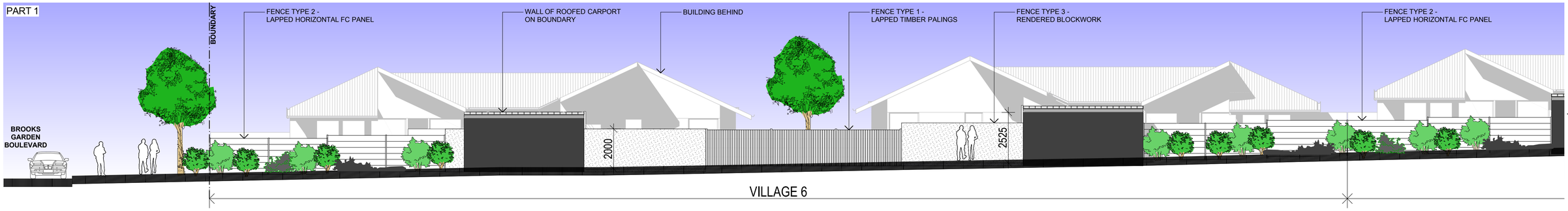
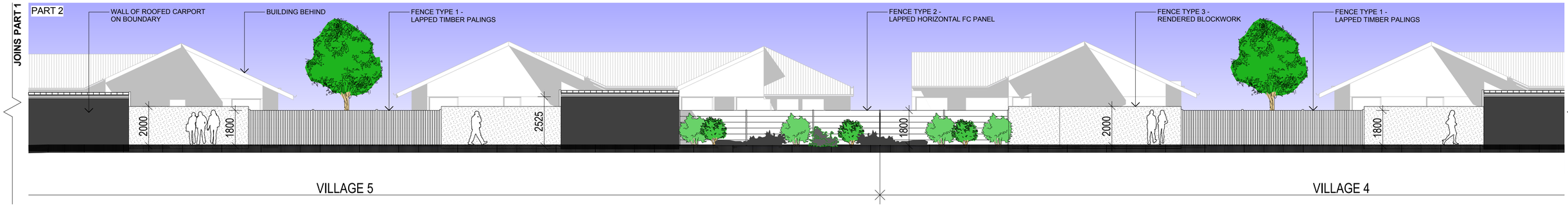
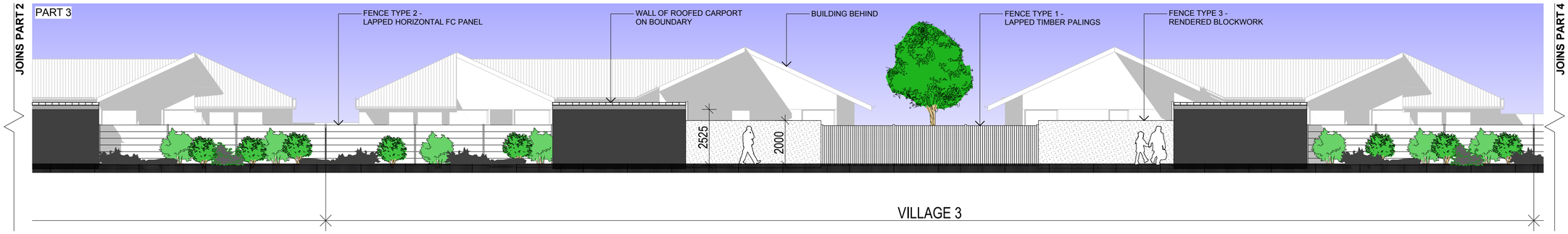
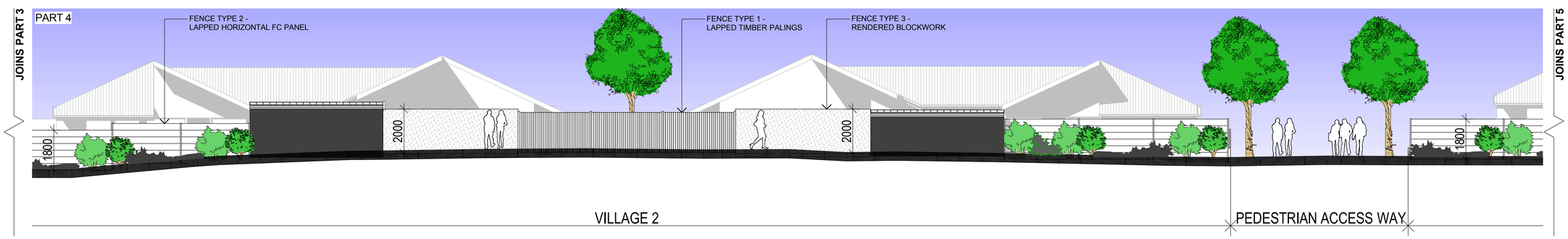
AGENDA ITEM 2.3 REFERS

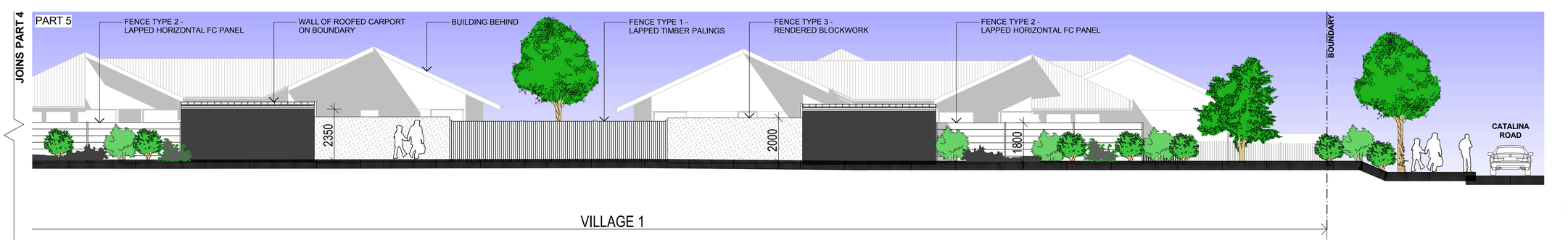
REV	DESCRIPTION	DRAWN	DATE
B	DA ISSUE	MS	16/06/11











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project

PROPOSED GROUPED HOUSING DEVELOPMENT

for

KINGOPEN PTY LTD

at

LOT 1005
CATALINA ROAD, LANGE
WITHIN THE CATALINA CENTRAL STRUCTURE PLAN

drawing

WESTERN BOUNDARY FENCE ELEVATION

date **JUN 2011** drawn **MS** scale **1:100 @A1**

drawing no. **11002 SD13** revision **B**

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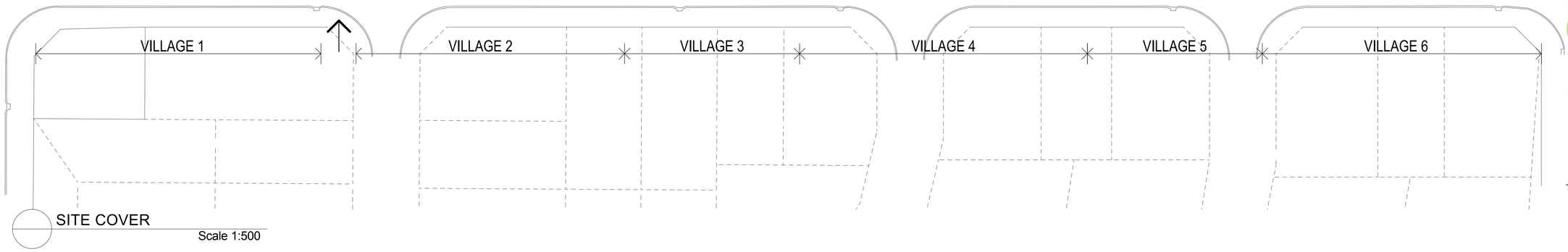
AGENDA ITEM 2.3 REFERS

REV	DESCRIPTION	DRAWN	DATE
A	PRE-LODGEMENT ISSUE	MS	21/04/11
B	DA ISSUE	MS	16/06/11



SITE COVER
Scale 1:500

LEGEND:

- OPEN SPACE
- BUILT AREA

SITE COVER

TOTAL SITE AREA	**= 16280m²**
BUILT AREA	= 7636m²
OPEN SPACE	= 8644m²
TOTAL SITE COVER	**= 46.90%**
PLOT RATIO	**= 0.47 : 1**

0 10 20 30 40 50 100

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project
PROPOSED GROUPED HOUSING DEVELOPMENT
for
KINGOPEN PTY LTD
at
LOT 1005
CATALINA ROAD, LANGE
WITHIN THE CATALINA CENTRAL STRUCTURE PLAN

drawing
SITE COVER

date **JUN 2011** drawn **MS** scale **1:500 @A1**
drawing no. **11002 SD14** revision **B**

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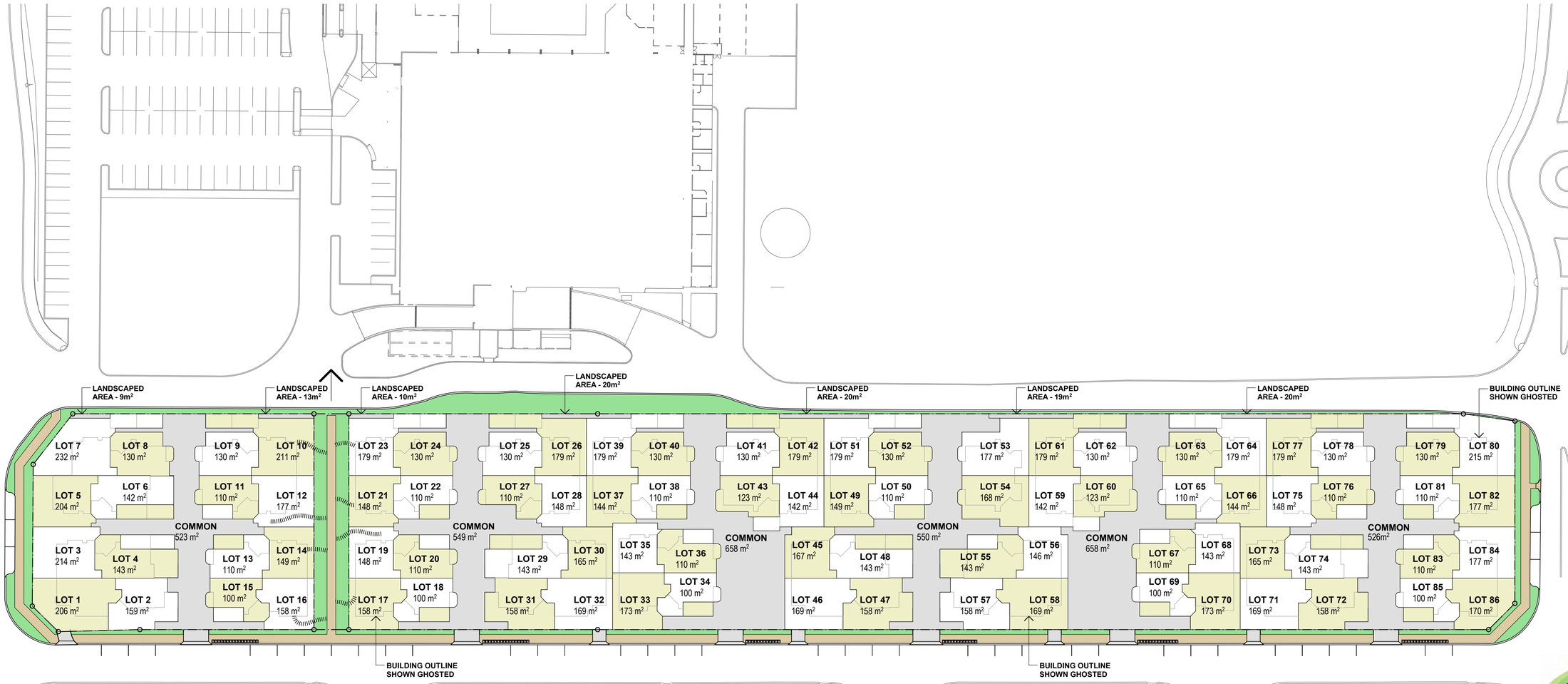
AGENDA ITEM 2.3 REFERS

REV	DESCRIPTION	DRAWN	DATE
A	PRE-LODGEMENT ISSUE	MS	28/04/11
B	DA ISSUE	MS	16/06/11



STRATA PLAN

Scale 1:500

NOTE:

LOT AREAS HAVE BEEN ROUNDED UP / DOWN FOR CLARITY.

0 10 20 30 40 50 100

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PROPOSED GROUPED HOUSING DEVELOPMENT

for

KINGOPEN PTY LTD

at

LOT 1005
CATALINA ROAD, LANGE
WITHIN THE CATALINA CENTRAL STRUCTURE PLAN

drawing

STRATA PLAN

date **JUN 2011** drawn **MS** scale **1:500 @A1**

drawing no. **11002 SD15** revision **B**

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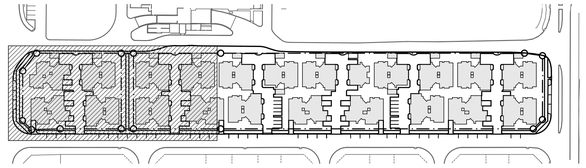
AGENDA ITEM 2.3 REFERS

REV	DESCRIPTION	DRAWN	DATE
A	PRE-LODGEMENT ISSUE	MS	28/04/11
B	DA ISSUE	MS	16/06/11



KEY PLAN
Scale 1:2000

JOINS DRAWING SD17

CATALINA ROAD

RL 52.92 RL 52.91 RL 52.85 RL 52.83 RL 52.81 RL 52.77 RL 52.43 RL 51.79 RL 51.38 RL 51.04 RL 50.77 RL 50.66 RL 50.63 RL 50.56 RL 50.42 RL 50.15

UNIT 1 UNIT 2 UNIT 3 UNIT 4 UNIT 5 UNIT 6 UNIT 7 UNIT 8 UNIT 9 UNIT 10 UNIT 11 UNIT 12 UNIT 13 UNIT 14 UNIT 15 UNIT 16 UNIT 17 UNIT 18 UNIT 19 UNIT 20 UNIT 21 UNIT 22 UNIT 23 UNIT 24 UNIT 25 UNIT 26 UNIT 27 UNIT 28 UNIT 29 UNIT 31 UNIT 32

RL 51.50 RL 52.40 RL 52.40 RL 52.10 RL 52.10 RL 51.50 RL 51.30 RL 51.30

4m SETBACK LINE 4m SETBACK LINE

4000 COMMUNAL STREET

STREET VISITOR PARKING
BIN PADS FOR STREET COLLECTION

STIRLING VIEW DRIVE

BIN PADS FOR STREET COLLECTION
STREET VISITOR PARKING

NOTE:

BUILDING LEVELS ARE APPROXIMATE ONLY AND SUBJECT TO DETAIL INVESTIGATION AT BUILDING APPLICATION STAGE.

EXISTING CONDITIONS FOOTPATH LEVELS HAVE BEEN SURVEYED AND EXTRAPOLATED ACROSS THE SITE TO DETERMINE BUILDING FLOOR LEVELS.

LEGEND:

- PRIVATE OPEN SPACE
- OUTDOOR LIVING AREA
- UNIT AREA
- ENCLOSED GARAGE
- PAVED AREA / COMMUNAL STREET
- PEDESTRIAN RESERVE
- SETBACK ENCROACHMENT AREA
- COMMUNAL DRIVEWAY

VILLAGE 1

PEDESTRIAN LINK

VILLAGE 2

VILLAGE TOWNPLANNING
Scale 1:200

0 5 10 20 30 40

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project
PROPOSED GROUPED HOUSING DEVELOPMENT

for
KINGOPEN PTY LTD

at
LOT 1005
CATALINA ROAD, LANGE
WITHIN THE CATALINA CENTRAL STRUCTURE PLAN

drawing
VILLAGE TOWNPLANNING DIAGRAM - SHEET 1

date **JUN 2011** drawn **MS** scale **1:200 @A1**

drawing no. **11002 SD16** revision **B**

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AGENDA ITEM 2.3 REFERS

REV	DESCRIPTION	DRAWN	DATE
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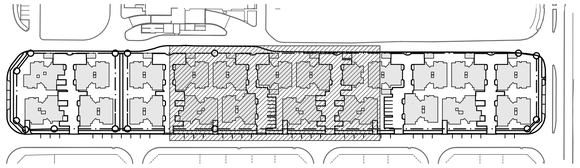
B	DA ISSUE	MS	16/06/11



KEY PLAN
Scale 1:2000

JOINS DRAWING SD16

JOINS DRAWING SD18

RL 52.91 RL 52.95 RL 52.93 RL 52.86 RL 52.65 RL 52.54

UNIT 25 UNIT 26 UNIT 39 UNIT 40 UNIT 41 UNIT 42 UNIT 51 UNIT 52 UNIT 53 UNIT 61
RL 52.10 RL 52.10 RL 52.10 RL 51.70 RL 51.70
UNIT 27 UNIT 28 UNIT 37 UNIT 38 UNIT 43 UNIT 44 UNIT 49 UNIT 50 UNIT 54 UNIT 59
UNIT 29 UNIT 30 UNIT 35 UNIT 36 UNIT 47 UNIT 48 UNIT 55 UNIT 56
RL 51.30 RL 51.20 RL 50.60 RL 50.60
UNIT 31 UNIT 32 UNIT 33 UNIT 34 UNIT 45 UNIT 46 UNIT 57 UNIT 58

4m SETBACK LINE 4m SETBACK LINE

RL 50.42 RL 50.15 RL 50.05 RL 50.02 RL 49.93 RL 49.82 RL 49.76 RL 49.52

BIN PADS FOR STREET COLLECTION
STREET VISITOR PARKING

STIRLING VIEW DRIVE

STREET VISITOR PARKING
BIN PADS FOR STREET COLLECTION

VILLAGE 3 VILLAGE 4

VILLAGE TOWNPLANNING
Scale 1:200

0 5 10 20 30 40

NOTE:

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EXISTING CONDITIONS FOOTPATH LEVELS HAVE BEEN SURVEYED AND EXTRAPOLATED ACROSS THE SITE TO DETERMINE BUILDING FLOOR LEVELS.

LEGEND:

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- UNIT AREA
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- PAVED AREA / COMMUNAL STREET
- PEDESTRIAN RESERVE
- SETBACK ENCROACHMENT AREA COMMUNAL DRIVEWAY

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project
PROPOSED GROUPED HOUSING DEVELOPMENT

for
KINGOPEN PTY LTD

at
LOT 1005
CATALINA ROAD, LANGE
WITHIN THE CATALINA CENTRAL STRUCTURE PLAN

drawing
VILLAGE TOWNPLANNING DIAGRAM - SHEET 2

date **JUN 2011** drawn **MS** scale **1:200 @A1**

drawing no. **11002 SD17** revision **B**

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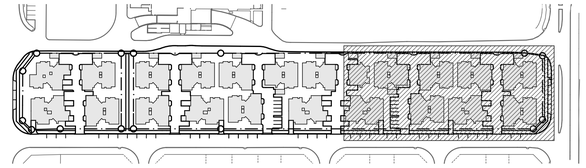
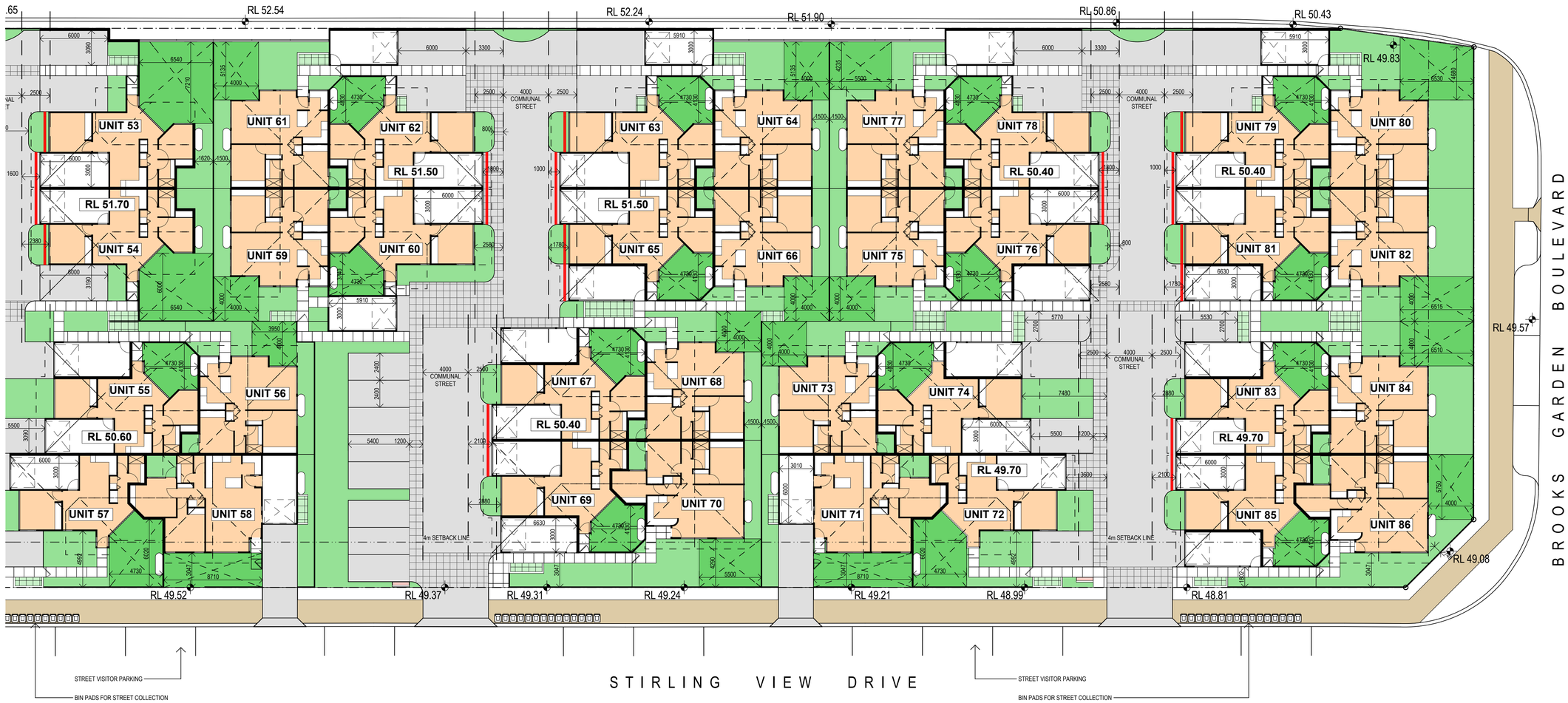
AGENDA ITEM 2.3 REFERS

REV	DESCRIPTION	DRAWN	DATE
A	PRE-LODGEMENT ISSUE	MS	28/04/11
B	DA ISSUE	MS	16/06/11

JOINS DRAWING SD17



KEY PLAN
Scale 1:2000



LEGEND:

- PRIVATE OPEN SPACE
- OUTDOOR LIVING AREA
- UNIT AREA
- ENCLOSED GARAGE
- PAVED AREA / COMMUNAL STREET
- PEDESTRIAN RESERVE
- SETBACK ENCROACHMENT AREA COMMUNAL DRIVEWAY

VILLAGE TOWNPLANNING
Scale 1:200

VILLAGE 5

VILLAGE 6

0 5 10 20 30 40

NOTE:

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PROPOSED GROUPED HOUSING DEVELOPMENT

for
KINGOPEN PTY LTD

at
LOT 1005
CATALINA ROAD, LANGE
WITHIN THE CATALINA CENTRAL STRUCTURE PLAN

drawing
VILLAGE TOWNPLANNING DIAGRAM - SHEET 3

date **JUN 2011** drawn **MS** scale **1:200 @A1**

drawing no. **11002 SD18** revision **B**

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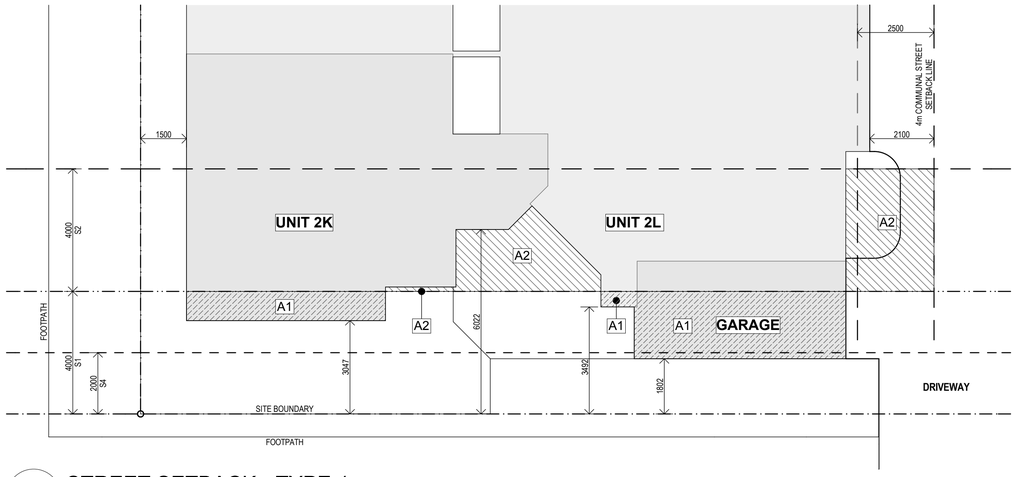
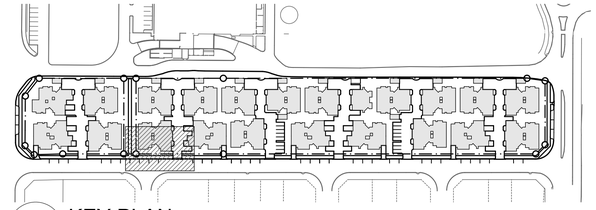
AGENDA ITEM 2.3 REFERS

REV	DESCRIPTION	DRAWN	DATE
A	PRE-LODGEMENT ISSUE	MS	28/04/11
B	DA ISSUE	MS	16/06/11

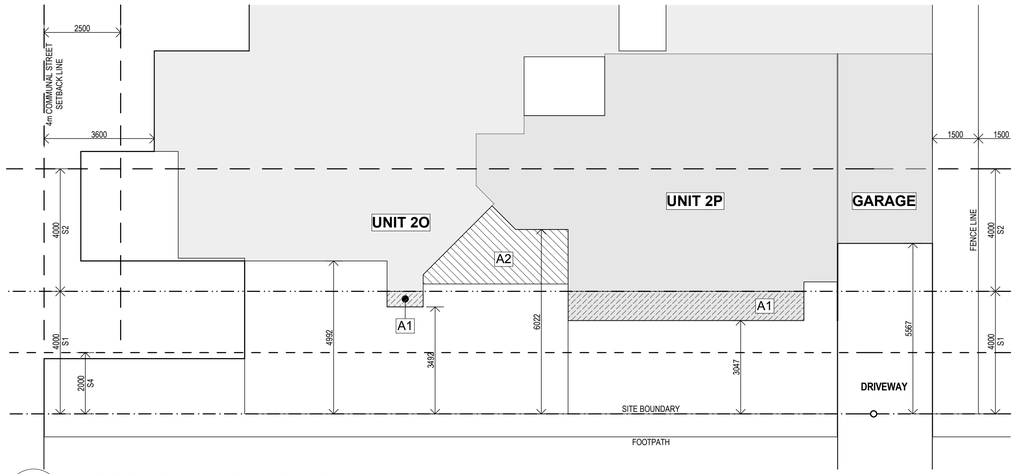


STREET SETBACK - TYPE 1
Scale 1:100

NOTE: AREA A1 EQUALS AREA A2

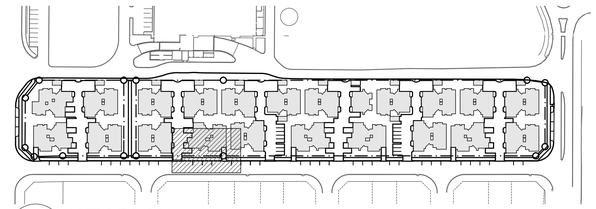


KEY PLAN
Scale 1:2000

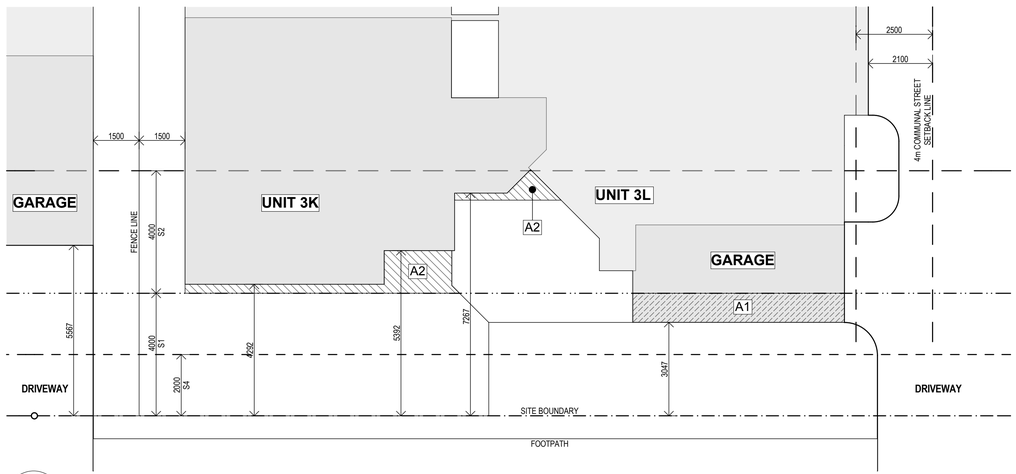


STREET SETBACK - TYPE 2
Scale 1:100

NOTE: AREA A1 EQUALS AREA A2

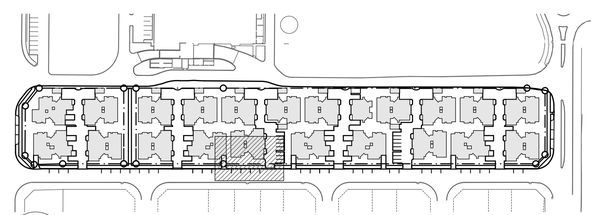


KEY PLAN
Scale 1:2000



STREET SETBACK - TYPE 3
Scale 1:100

NOTE: AREA A1 EQUALS AREA A2



KEY PLAN
Scale 1:2000

LEGEND:

	BUILT AREA
	A1 AREA
	A2 CARPARK
S1	STREET SETBACK DISTANCE
S2	DISTANCE EQUAL TO S1
S4	REDUCED STREET SETBACK (NOT LESS THAN HALF OF S1)
A1	AREAS OF INCURSION INTO STREET SETBACK AREA
A2	COMPENSATING AREA BEHIND PRESCRIBED STREET SETBACK AREA

0 5 10 20

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PROPOSED GROUPED HOUSING DEVELOPMENT

for
KINGOPEN PTY LTD

at
LOT 1005
CATALINA ROAD, LANGE
WITHIN THE CATALINA CENTRAL STRUCTURE PLAN

drawing
SETBACK ANALYSIS PLAN

date **JUN 2011** drawn **MS** scale **AS SHOWN @A1**

drawing no. **11002 SD19** revision **B**

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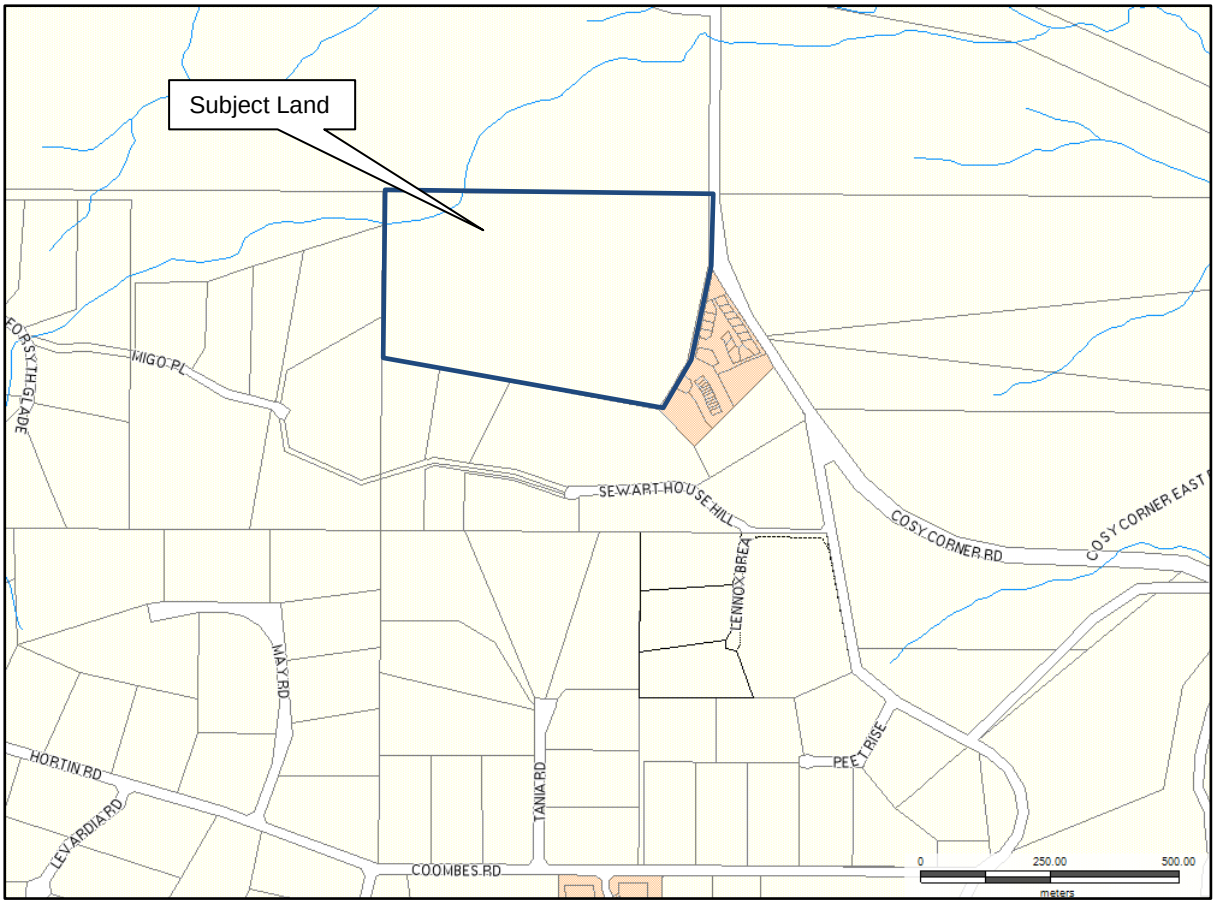
AGENDA ITEM 2.3 REFERS

2.4: INITIATION OF AMENDMENT – LOT 4 COSY CORNER ROAD, KRONKUP

Land Description	:	Lot 4 Cosy Corner Road, Kronkup
Proponent	:	Craig Pursey Planning
Owner/s	:	A.H. and P. R. London
Business Entity Name	:	Trading as 'Torbay Olives'
Attachment(s)	:	Proposed Subdivision Guide Plan
Appendices	:	Amendment Document (AMD308)
Councillor Workstation	:	Fire Management Plan Land Capability Assessment
Responsible Officer(s)	:	E/Director Planning and Development Services (G Bride)

Maps and Diagrams:



IN BRIEF

- Determine whether to initiate the proposed Scheme Amendment to rezone Lot 4 Cosy Corner Road, Kronkup from the 'Rural' zone to the 'Special Rural' zone.
- It is recommended that the amendment be initiated with modifications.

CEO:	RESPONSIBLE OFFICER:

ITEM 2.4: RESPONSIBLE OFFICER RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

THAT, subject to the following modifications being made;

i. **The wording of proposed provision 11.0(d) being deleted and replaced with a new provision stating that *"at the time of subdivision Council may recommend that a Section 70A notification be placed on titles of Lot U, V, W, X and Y advising future purchasers that they may be affected by the operations associated with existing farming activities in the area inclusive of the Olive Grove on Lot T"*;**

ii. **The building envelope on Lot V being repositioned to the west to ensure no portion of the building envelope is within 60 metres of the lot boundary associated with Lot T (lot associated with the Olive Grove) and an area of revegetation being identified on the eastern boundary of Lot V; and**

iii. **a new provision being placed in the special provisions for Special Rural Area No. 30 stating that *"future buildings to be placed on Lot W and X are to be constructed to Bushfire Attack Level (BAL) 19 under Australian Standard 3959 – Buildings in Bushfire Prone Areas*",**

Council Resolves to <u>INITIATE</u> Amendment No. 308 to Town Planning Scheme No. 3 in pursuance of section 75 of the *Planning and Development Act 2005* and *Regulation 25(1)c* of the *Town Planning Regulations 1967*, for the purposes of:

1) **Rezoning Lot 4 Cosy Corner Road, Kronkup from the Rural zone to Special Rural zone and amending the Scheme Maps accordingly;**
2) **Including Lot 4 Cosy Corner Road, Kronkup in Special Rural Area No. 30, Schedule 1 – Special Rural Zones – Provisions Relating to Specified Areas;**
3) **Amending Schedule I – Special Rural Zones – Provisions Relating to Specified Areas, Special Rural Area No. 30 by amending provisions 4.1 and, 10.4;**
4) **Amending Schedule I – Special Rural Zones – Provisions Relating to Specified Areas, Special Rural Area No. 30 by deleting provision 5.1 (a); and**
5) **Inserting provision 3.3 (d) and 11.0 (d) in Schedule I – Special Rural Zones – Provisions Relating to Specified Areas Schedule, Rural Area No. 30.**

BACKGROUND

1. Amendment No. 308 proposes to amend Town Planning Scheme (TPS) No. 3 by rezoning Lot 4 Cosy Corner Road, Kronkup from the 'Rural' zone to the 'Special Rural' zone.

2. The amendment is also proposing the following additional uses on one of the proposed lots;
   a. Maximum 3 chalets;
   b. Craft Studio
   c. Cafe /Restaurant or Country Kitchen
   d. Horticulture
   e. Garden Centre
   f. Sales outlet for Olive Grove

3. A Scheme Amendment Request (SAR149) proposing the rezoning of Lot 4 Cosy Corner Road, Kronkup from the 'Rural' zone to the 'Special Rural' zone was lodged with Council in September 2010.

4. Council considered SAR 149 at its Ordinary Meeting on 15 March 2011 and resolved to support the formal submission of a Scheme Amendment and to include the subject land within the boundary of the Torbay Hill Town Site when the ALPS is next reviewed.

5. The support of a formal submission of a Scheme Amendment is subject to the following matters being addressed and/or included as part of that formal amendment application:

    a. An Agricultural Impact Statement (as per SPP 2.5, Appendix 3) being prepared by a suitably qualified professional to determine the impact of the proposal on existing agricultural operations and whether sufficient separation distances between building envelopes and existing rural activities, inclusive of the Olive Grove, are appropriate.

    b. A land capability report being prepared to determine that the proposed building envelopes are capable of supporting the development envisaged.

    c. A Fire Management Plan being prepared to determine whether there is sufficient separation between the proposed building envelopes and the vegetated areas.

6. To address the matters outlined above, the proponent provided a land capability report and a fire management plan as part of the amending document. An agricultural impact statement was also provided consistent with Part 2 (Land Use Conflict) of Appendix 3 within SPP2.5 which addresses the impact of the proposal on existing agricultural operations (grazing to the north and the Olive Grove) and separation distances between building envelopes and existing rural activities as requested by Council.

DISCUSSION

7. The subject land is zoned 'Rural' and has a total land area of 22.73 hectares and forms part of Torbay Hill, sloping down to the Kronkup flats along its northern boundary. Minor hills and drainage lines dissect the property. The subject land slopes down from a high point of 76m AHD in the south west corner of the lot to a low point of 30m AHD in the north eastern corner of the lot.

8. The subject land is currently developed with an olive grove, a single residence and a number of sheds used as outbuildings to the residence and as storage for farm equipment and olive oil reserves. The land is used for rural purposes with the olive grove producing limited commercial quantities with the remainder of the lot being grazed with cattle. There are large areas revegetated with native vegetation and a karri forest in the south eastern corner of the property.

9. Surrounding land uses include the following;
    - the land to the north is used for agricultural purposes (grazing of cattle);
    - the land to the south and west is being used for rural residential purposes and the land adjoining the site to the east is used as the Torbay Motel, chalets and a general store and cafe.

10. The subject land shares the same characteristics as the remainder of Torbay Hill with some cleared areas and large areas of remnant vegetation.

11. The introduction of additional dwellings contemplated under the proposal should not have a detrimental impact on the amenity of the area, as the area is already characterised by this type of development. The provision of a landscaped strip along the property's northern boundary is proposed; this will serve as a vegetated buffer to the large grazing areas to the north and as a visual buffer to Torbay Hill when viewed from Cosy Corner Road.

12. The subject land will be incorporated into the neighbouring Special Rural Area No. 30 with a subsidiary Subdivision Guide Plan (SGP) for the subject land carrying through the same terminology and information applicable to the existing SGP for Special Rural Area No. 30. The amendment seeks to modify the existing special provisions for Special Rural Area No. 30 in the following manner:

- Clarifying that 'new' intensive agricultural pursuits are not permitted, recognising the existing Olive Grove operation;
- Identifying that on Lot W as per the Subdivision Guide Plan, an alternative treatment effluent disposal system is required in accordance with the recommendations of the land capability study;
- Introducing some additional uses that are permitted on Lot T (lot with the existing Olive Grove) including Chalets (maximum of three), Craft Studio, Cafe/Restaurant, Horticulture, Garden Centre and Sales Outlet for Olive Grove; and
- Notifications to potential purchasers of the new lots identifying that they may be subjected to nuisance impacts associated with noise from the existing Olive Grove operations.

13. The proponent has stated that creating a retail outlet for the olive grove, with complimentary activities such as a café and chalets would support the economic viability of the olive grove and support the Torbay Hill Rural Village centre and the adjacent holiday accommodation. These uses will provide for an additional tourist experience at the Olive Grove and is supported by staff.

14. The small scale tree nursery on the site grows local endemic species for revegetation works in the locality. Trees are grown to 1-1.5m high and sold in bags from a separate entry to the property on Cosy Corner Road. This use is also complimentary to the organic farming methods of the olive grove and gives people another reason to visit the Torbay Hill Rural Village.

15. The proponent has detailed the operational activities associated with the Olive Grove and believes the potential for land use conflict is limited as the operation involves:

- limited hand spraying (with no associated spray drift);
- a short annual harvesting period of 10 days (with use of an air compressor and hand rakes); and
- pruning by hand or battery powered sabre saw and pest control measures being applied once a year direct to the trees (application of white oil which is an organic pest control measure with no detrimental health effects).

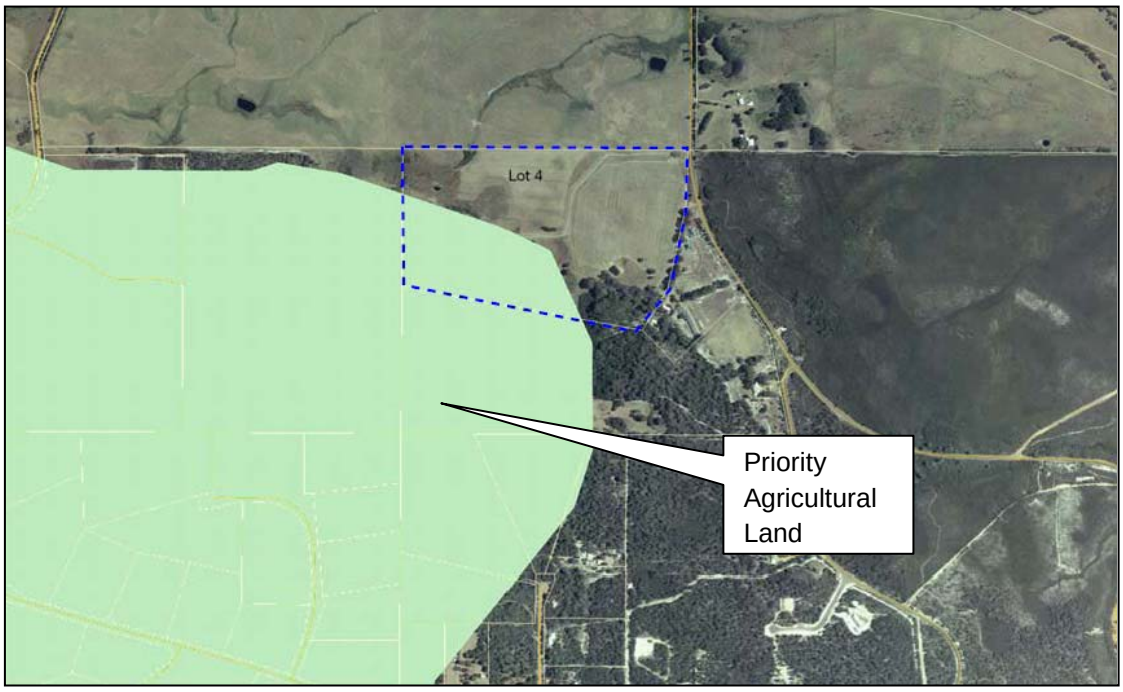
16. The proponent has identified a minimum noise separation distance of 60 metres from any dwellings to the Olive Grove. This distance is recommended for such activities within the *Queensland Department of Natural Resources Planning Guidelines: Separating Agricultural and Residential Land Uses (August 1997)* which is identified in Western Australian Planning

Commission Planning Bulletin 63 (*Policy for dealing with potential conflicts between residential subdivision and market gardens in East Waneroo*). The proponent has also recommended that potential purchasers be advised in writing by the owner of the existence of the Olive Grove operations associated with the Olive Grove on the purchase of the new lots, however this form of notification is broken once the original purchaser on sells their property. It is recommended that a Section 70A notification be placed on the titles of the proposed lots.

17. The Fire Management Plan submitted with the application identifies that the future dwellings on Lots W and X will need to be constructed to Bushfire Attack Level (BAL) 19 construction under Australian Standard 3959 – Buildings in Bushfire Prone Areas. A provision to this affect should be included within the special provisions for Special Rural Area No. 30.

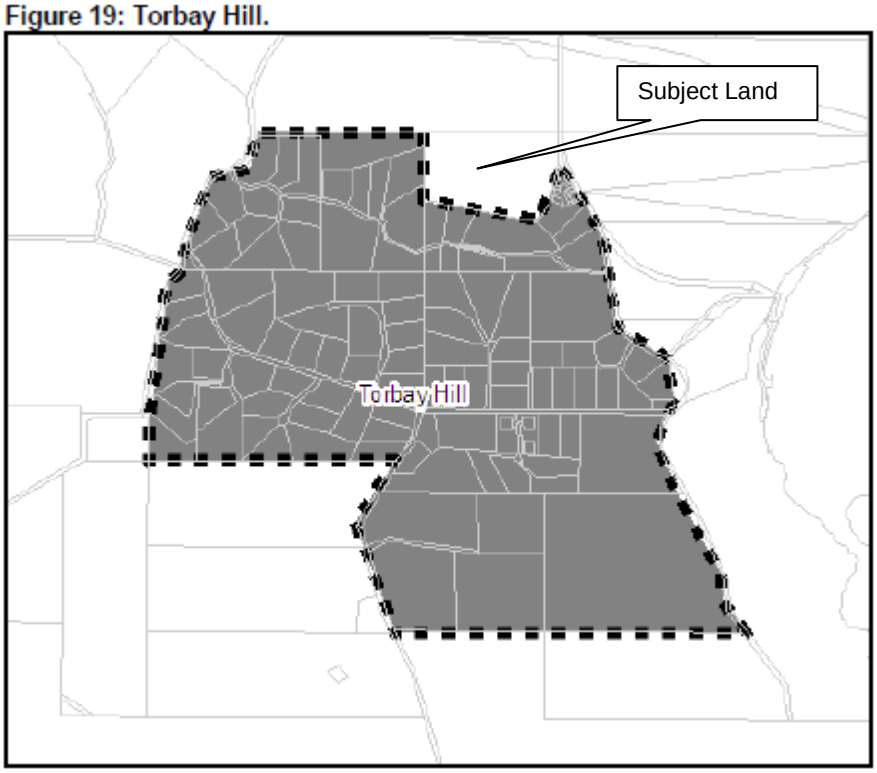
18. The Land Capability Assessment identified a number of constraints including a creek line in the north western corner of the site requiring a 30 metre development setback and areas subject to water logging which have been avoided by the positioning of building envelopes outside of these areas. Soil testing and an assessment of winter ground water levels were carried out which revealed that the identified building envelopes can support dwellings and effluent disposal systems; Lot W will require an alternative treatment effluent disposal system (ie. ecomax/biomax system).

19. The subject land is within an area that is identified by the ALPS as Priority Agricultural land. Detailed mapping from the Department of Agriculture and Food WA (DAFWA) identified that only the south-west corner of the site was identified as 'Priority Agriculture'. The existing priority agricultural cell in this locality, being to the west and south of the subject land, is situated over existing special rural allotments, and due to their size and zoning do not support intensive agriculture. For these reasons it is clear that the proposal would not detrimentally impact existing or future agricultural production in the immediate locality.



20. The subject land is not within the Townsite Boundary as per Figure 19: Torbay Hill (refer below) and Table 5 of the ALPS recommends no further expansion of the Town Site.

Figure 19: Torbay Hill.



21. The proponent has stated that the inclusion of the subject land into the same zoning (Special Rural) as surrounding land parcels to the west and south would be a logical 'rounding off'. In relation to precedent concerns the proponent states:

- This property shares the same land characteristics as the existing special rural development (being the last property before the land flattens off into the Kronkup flats);
- The land is surrounded by non-rural land uses on three sides;
- The land is virtually the last smaller lot in the immediate area capable of being developed for rural residential purposes. Nearby land that is not located on the flats is designated as Priority Agriculture and is of a size capable of being further developed for agricultural purposes.
- Hortin Road forms a boundary to rural residential development to the west. Cosy Corner Road forms a logical boundary to the east.

22. The boundaries of the Torbay Hill townsite (as identified in Figure 19 above) appear to have been based on the existing special rural areas that were in place at the time or were in the final stages of a scheme amendment process. The subject land, being zoned 'Rural' and identified as suitable for Priority Agriculture use in the ALPS, was therefore excluded. The proponent has identified that with the exception of the subject land being outside of the townsite boundary, the proposal meets all relevant objectives of the ALPS as it relates to the creation of Rural Living areas as:

- The land will not create an 'additional' rural townsite;
- The small portion of the land is affected by the priority agricultural land designation, however the balance of this cell is over existing special rural lots, and therefore the proposal will not detrimentally affect opportunities for priority agriculture. The proposal will also retain the Olive Grove.
- The land is not in an area of extreme bushfire risk and is not subject to flooding.
- The land is beyond the area identified in ALPS as future urban or long term residential.

23. Table 5 within the ALPS identifies no additional growth for the Torbay Hill town site, and states that a maximum yield of 100 lots is envisaged. The number of existing and proposed lots within the town site boundary, as defined by Figure 19 of the ALPS, is approximately 102 (which includes the final yield identified in the relevant subdivision guide plans for the existing special rural areas). The proposal to add six additional lots would have a marginal impact on the maximum lot yield envisaged for the town site.

24. Whilst the land is not included within the boundaries of the Torbay Hill town site, the proposal meets all other relevant objectives identified within the ALPS, and it is recommended that the proposal be supported.

GOVERNMENT CONSULTATION

25. Should Council initiate the Amendment and the Environmental Protection Authority decides not to assess the proposal, the Amendment will be referred to all relevant Government agencies for assessment and comment.

26. As part of the Scheme Amendment Request process, support was received from the Albany Office of the Department of Planning, Health Department WA, Department of Water and the Water Corporation.

27. The Department of Agriculture and Food did express some concerns that the proposal could set a precedent for the subdivision of rural land elsewhere within the City and that should the proposal proceed, buffers should be imposed to minimise landuse conflict.

PUBLIC CONSULTATION / ENGAGEMENT

28. Should Council initiate the Amendment and the Environmental Protection Authority decides not to assess the proposal, the Amendment will be advertised to all affected and surrounding landowners. A sign will be placed on site and a notice will also be placed in the local newspaper inviting comment.

STATUTORY IMPLICATIONS

29. All Scheme Amendments undergo a statutory process in accordance with the *Planning and Development Act 2005* and *Town Planning Regulations 1967.*

30. Council's resolution under Section 75 of the *Planning and Development Act 2005* is required to amend the Scheme.

31. An Amendment to a Town Planning Scheme adopted by resolution of a Local Government must then be referred to the EPA for assessment.

32. Advertising of an Amendment for public inspection is for a period of 42 days and is not to commence until the EPA has determined that the Amendment is environmentally acceptable.

33. A resolution to amend a Town Planning Scheme should not be construed to mean that final approval will be granted to that amendment.

STRATEGIC IMPLICATIONS

34. This item relates directly to the following elements of the City of Albany Strategic Plan (2011-2021:

Key Focus Area
Sustainability and Development

Community Priority
A sustainable future

Proposed Strategies
Establish satellite township hubs in areas such as Young's Siding, Redmond, Manypeaks and Wellstead to provide services *(basic shopping necessities and recreational areas).*

35. Council's decision on the Scheme Amendment should be consistent with the objectives of the Albany Local Planning Strategy (ALPS) as the principal land use planning strategy for the City.

36. Section *8.3.1 – Strategic Settlement Direction* sets the following Strategic Objective:

"Facilitate and manage sustainable settlement growth for the urban area in the City of Albany".

This objective is supported by a set of aims that have been devised to contain the spread of fragmented urban and rural living areas in the City. They are as follows:

- *Providing for growth in urban areas, rural townsites and rural living areas as designated in ALPS.*
- *Minimising the development footprint on the landscape to help protect biodiversity and the environment.*
- *Promoting energy conservation.*
- *Providing greater housing choice.*
- *Minimising journey length from home to work/school/services and encouraging the use of public transport, cycling and walking.*
- *Reducing government expenditure on servicing current and future populations.*

37. Section *8.3.5 – Rural Living* sets the following Strategic Objective in the ALPS:

"In the long term encourage the efficient use of existing rural living areas, based on land capability to maximise their development potential."

The ALPS expands on this by stating that: "The strategy's objectives for Rural Living areas are to:

- *Discourage the creation of additional rural townsites for living purposes.*
- *Avoid the development of Rural Living areas on productive agricultural land, other important natural resource areas and areas of high bushfire risk, flooding and environmental sensitivity.*
- *Avoid the development of Rural Living areas on future and potential long-term urban areas.*
- *Provide compact growth of selected existing rural townsites in accordance with Table 5, based on land capability and available services and facilities.*
- *Minimise potential for generating land-use conflicts.*

Existing Rural Residential areas in the ALPS are mainly on the fringe of the proposed Future Urban area.

Existing Special Rural and Special Residential zones in the City's current Town Planning Scheme are fragmented and located within or next to rural areas on the periphery of the Albany urban area, along the King and Kalgan Rivers and around Princess Royal and Oyster Harbours. These zones are at different stages of development and not required to be connected to reticulated sewerage. Some of the outer areas, such as Millbrook and most of Gull Rock, are also not connected to reticulated water".

38. The proposal is considered to be consistent with Section 8.3.5 of the ALPS, as it:

- discourages the creation of additional rural town sites for living purposes;
- avoids the development of a Rural Living area on productive agricultural land, other important natural resource areas and areas of high bushfire risk, flooding and environmental sensitivity;
- avoids the development of a Rural Living area on future and potential long-term urban areas, as the land has been identified in the ALPS as suitable for Special Rural purposes; and
- will create lot sizes similar to those adjoining the subject land, which are being used for similar rural residential living purposes, therefore minimising the potential for generating land-use conflicts.

POLICY IMPLICATIONS

39. The most relevant policy applicable to this proposal is the Western Australian Planning Commission's Statement of Planning Policy 2.5 – Agricultural and Rural Land Use Planning. This Policy contains the following objectives that are relevant to this proposal:

1. Protect agricultural land resources wherever possible by:
- discouraging land uses unrelated to agriculture from locating on agricultural land;
- minimising the ad hoc fragmentation of rural land; and

2. Plan and provide for rural settlement where it can:
- benefit and support existing communities; and
- have access to appropriate community services and infrastructure.

3. Minimise the potential for land use conflict by:

- providing adequate separation distance between potential conflicting land uses;
- introducing management requirements that protect existing agricultural land uses;
- identify areas that are suitable and capable for intensive agricultural pursuits as agricultural priority areas.

40. In relation to the above objectives staff believe the proposal will minimise the potential for land use conflict through the application of a separation distances and notification of titles designed to ensure the existing Olive Grove operation can continue to operate into the future.

RISK IDENTIFICATION & MITIGATION

41. The risk identification and categorisation relies on the City's Risk Management Framework.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Approval for the amendment facilitating the creation of six lots may cause potential landuse conflict and associated noise complaints to Council associated with existing Olive Grove operation.	*Possible*	*Medium*	*High*	*The application of a separation distance (minimum 60 metres from all building envelopes to Olive Grove), revegetation on eastern boundary of Lot V and notification on titles for all lots.*

FINANCIAL IMPLICATIONS

42. The appropriate fee has been paid by the proponent and the proposal has been assessed by staff within existing resources and budget lines.

LEGAL IMPLICATIONS

43. There are no specific legal implications related to this item. If Council initiates the amendment the proposal will be referred to the Environmental Protection Agency to determine whether the proposal needs to be formally assessed.

ALTERNATE OPTIONS

44. Council has the following options in relation to this item, which are:

- To resolve to initiate the Scheme Amendment without modifications;
- To resolve to initiate the Scheme Amendment with modifications; or
- To resolve not to initiate the Scheme Amendment.

SUMMARY CONCLUSION

45. The proposed re-zoning will allow subdivision of the subject land to create six special rural allotments all in excess of 2 hectares which is comparable to existing lot sizes to the south and west of the subject land.
46. The proposal adequately addresses fire management, land capability and land use conflict issues.

Consulted References	WA Planning Commission (WAPC) Statements of Planning Policy (SPP's) SPP1 & SPP 3
File Number (Name of Ward)	AMD 308 (West Ward)
Previous References	OCM 15/03/11 – Item 1.3 (SAR 149)

556942

AGENDA ITEM 2.4 REFERS

557915

6120721

6120721

COSY

CORNER

ROAD

U
2.1ha

W
2.5ha

V
2ha

T
8.5ha

X
2.1ha

Y
4.8ha

CFF

CFF

CFF

H

SPECIAL RURAL
AREA No 30

OLIVE GROVE

SPECIAL RURAL
AREA No 30

35 40 35 30 37 45 50 55 60 65 70 75 80 85 90 95

6120160

6120160

556942

557915

Craig Pursey Planning

Datum: MGA 94 Zone 50
Reference: 170611SGP-01A.dgn
Drawn By: ABS 17/06/11
Checked By: CP 17/06/11

Scale @ A3 1:2500

0 20 40 60 80

All distances are in metres

NOTE:
This plan has been prepared for planning purposes. Areas, Contours and Dimensions shown are subject to survey

N

Subdivision Guide Plan

LOT 4 ON DIAGRAM 78114
COSY CORNER ROAD
KRONKUP

To be read in conjunction with Subdivision Gude Plan dated 19/11/02 that applies to the remainder of Special Rural Area 30

H — Existing House

CFF — Conservation of Flora and Fauna Area

Creek protection area

Wildlife Corridor

Building Envelopes

Buffer to existing agricultural uses

Endorsed by CEO City of Albany ..... Date .....

4.1: LIST OF ACCOUNTS FOR PAYMENT

File Number (Name of Ward) : FM.FIR.2 - All Wards
Appendices : List of Accounts for Payment
Responsible Officer : Acting Executive Director Corporate Services (P Wignall)

ITEM 4.1: RESPONSIBLE OFFICER RECOMMENDATION

The list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 15th September 2011 totalling $2,419,890.39 be RECEIVED.

BACKGROUND

1. Council has delegated to the Chief Executive Officer the exercise of its power to make payments from the City's municipal and trust funds. In accordance with Regulation 13 of the Local Government (Financial Management) Regulations 1996, a list of accounts paid by the Chief Executive Officer is to be provided to Council.

DISCUSSION

2. The table below summarises the payments drawn from the municipal fund during the month of September 2011. Further details of the accounts authorised for payment by the Chief Executive Officer is included within the Elected Members Report/Information Bulletin.

Municipal Fund		
Trust	Totalling	$153,720.00
Cheques	Totalling	$65,651.91
Electronic Fund Transfer	Totalling	$1,773,060.95
Credit Cards	Totalling	$5,282.46
Payroll	Totalling	$422,175.07
	TOTAL	**$2,419,890.39**

3. As at 15th September 2011, the total outstanding creditors, stands at **$737,792.05** and made up follows:

Current	$ 257,730.24
30 Days	$480,233.18
60 Days	-$142.37
90 Days	-$29.00
TOTAL	**$737,792.05**

CEO:	RESPONSIBLE OFFICER:

4. Cancelled cheques – 27561 – replacement cheque 27571 issued – incorrect amount on original cheque.

STATUTORY IMPLICATIONS

5. Regulation 12(1)(a) of the Local Government (Financial Management) Regulations 1996, provides that payment may only be made from the municipal fund or a trust fund if the Local Government has delegated this function to the Chief Executive Officer or alternatively authorises payment in advance.

6. The Chief Executive Officer has delegated authority to make payments from the municipal and trust fund.

7. Regulation 13 of the Local Government (Financial Management) Regulations 1996 provides that if the function of authorising payments is delegated to the Chief Executive Officer, then a list of payments must be presented to Council and recorded in the minutes.

FINANCIAL IMPLICATIONS

8. Expenditure for the period to 15 September 2011 has been incurred in accordance with the 2011/2012 budget parameters.

POLICY IMPLICATIONS

9. The City's 2011/2012 Annual Budget provides a set of parameters that guides the City's financial practices.

SUMMARY CONCLUSION

10. That list of accounts have been authorised for payment under delegated authority.

File Number (Name of Ward)	FM.FIR.2 - All Wards

AGENDA ITEM 4.1 REFERS

TRUST CHEQUES AND ELECTRONICS FUNDS TRANSFER PAYMENTS

EFT/CHQ	Date	Name	Description	Amount
27547	01/09/2011	MORVEN RURAL DEVELOPMENTS PTY LTD	RETURN OF OUTSTANDING WORKS BOND T1100 FOR WAPC 126436	148720.00
EFT69586	08/09/2011	PHILLIP HOAR	RETURN OF HOUSING BOND	5000.00
			TOTAL	**$ 153,720.00**

MASTERCARD TRANSACTIONS - AUGUST 2011

Date	Payee	Description	Amount
29-July-2011	SkyWest	Air Fare P. Madigan - Medical Appointment	517.63
29-July-2011	SkyWest	Air Fare D. Walker - Airport Security Upgrade Forum	443.38
29-July-2011	SkyWest	Air Fare L.Hill - Airport Security Upgrade Forum	557.78
02-August-2011	Selec Sistemi Integrate	Airport - ILS Maintenance	1,404.89
05-August-2011	Kings Perth Hotel	Accomodation - D. Walker - Airport Security Upgrade Forum	263.00
05-August-2011	Parmelia Hilton Perth	Accomodation F. James - Katanning CEO Dinner	547.20
15-August-2011	SkyWest	Air Fare B. Wellstead - SLWA Exchange	281.57
15-August-2011	SkyWest	Air Fare B. Wellstead - SLWA Exchange	312.70
24-August-2011	IP Australia	Trade Mark Application	240.00
24-August-2011	IP Australia	Trade Mark Application	360.00
Various	Sundry < $ 200.00		354.31
		TOTAL	**$ 5,282.46**

Payroll - 25TH AUGUST 2011 - 14 SEPTEMBER 2011

26-August-2011	Sundry Pay	4,940.32
07-September-2011	Payroll	417,234.75
	TOTAL	**$ 422,175.07**

AGENDA ITEM 4.1 REFERS

Chq	Date	Name	Description	Amount
27548	01/09/2011	AMP FLEXIBLE LIFETIME SUPER PLAN	Superannuation contributions	1004.90
27549	01/09/2011	HESTA SUPER FUND	REFUND BANKED CHEQUE 17/8/11 EMPLOYEE 10012 SUPER PAID MAY 2011 $443.80 JUNE 2011 $148.44	1372.49
27550	01/09/2011	HOSTPLUS PTY LTD	Superannuation contributions	154.52
27551	01/09/2011	MLC NOMINEES PTY LIMITED	Superannuation contributions	296.60
27552	01/09/2011	NATIONAL MUTUAL RETIREMENT FUND	Superannuation contributions	356.84
27553	01/09/2011	PERPETUAL WEALTH FOCUS SUPER PLAN	Superannuation contributions	979.28
27554	01/09/2011	REI SUPERANNUATION FUND PTY LTD	Superannuation contributions	44.55
27555	01/09/2011	IOOF GLOBAL ONE (EX SKANDIA GLOBAL)	Superannuation contributions	334.65
27556	01/09/2011	IOOF GLOBAL ONE (EX SKANDIA GLOBAL)	Superannuation contributions	411.38
27557	01/09/2011	TOWER TRUST LIMITED	Superannuation contributions	309.04
27558	01/09/2011	UNI SUPER	Superannuation contributions	252.06
27559	01/09/2011	AUSTRALIAN INSTITUTE OF COMPANY DIRECTORS	COUNCILLOR REGISTRATION ALBANY NFP DIRECTOR BRIEFING GOVERNANCE FOR PERFORMANCE	60.00
27560	01/09/2011	LANDGATE	REGISTRATION OF SURRENDER AND NEW LEASE FOR SHUTTLEWORTH ALBANY PTY LTD	320.00
27561	01/09/2011	DEPARTMENT OF TRANSPORT	VEHICLE REGISTRATION	350.80
27562	01/09/2011	DEPARTMENT OF ENVIRONMENT & CONSERVATION	PERMIT LOWER DENMARK RD	50.00
27563	01/09/2011	PETTY CASH - ALBANY AQUATIC AND LEISURE CENTRE	UMPIRES FEES	1500.00
27564	01/09/2011	PETTY CASH - CITY OF ALBANY	PETTY CASH REIMBURSEMENTS	382.85
27565	01/09/2011	PETTY CASH - FORTS	PETTY CASH REIMBURSEMENTS	136.45
27566	01/09/2011	STEPHEN CARRICK ARCHITECTS	REIVEW OF CITY OF ALBANY MUNICIPAL HERITAGE INVENTORY - STAGE 1 CONSULTANCY SERVICES	4087.93
27567	01/09/2011	TELSTRA CORPORATION LIMITED	BALANCE OF TELSTRA ACCOUNT	141.47
27568	01/09/2011	UBS WEALTH MANAGEMENT AUSTRALIA LTD	SEPTEMBER QUARTER MANAGEMENT FEE	43.30
27569	01/09/2011	WATER CORPORATION	WATER USAGE CHARGES VARIOUS LOCATIONS	9132.90
27570	01/09/2011	WESTERN POWER	REQUEST TO PROVIDE FIRM QUOTE LE GRANDE AVE	1500.00
27571	05/09/2011	DEPARTMENT OF TRANSPORT	VEHICLE REGISTRATION	351.50
27572	07/09/2011	WATER CORPORATION	WATER USAGE CHARGES - OCE1	867.25
27573	08/09/2011	ALBANY ALLSOILS LANDSCAPE SUPPLIES	Windy rubble	375.00
27574	08/09/2011	AUST INSTITUTE OF BUILDING SURVEYORS	MAGAZINE SUBSCRIPTION JULY 11-JUNE 12	60.00
27575	08/09/2011	CASH	INCREASE CASH FLOATS AT VISITORS CENTRE	200.00
27576	08/09/2011	LANDGATE	REGISTRATION OF SURRENDER OF LEASE OVER RESERVE 1947 ALBANY CITY KART CLUB (INC)	160.00

AGENDA ITEM 4.1 REFERS

27577	08/09/2011	DOWNRITE DEMOLITION	Demolition of the closed ablution block at Swarbrick Street, Emu Point	6745.20
27578	08/09/2011	PETTY CASH - ALBANY REGIONAL DAY CARE CENTRE	PETTY CASH REIMBURSEMENTS	198.65
27579	08/09/2011	PETTY CASH - WORKS & SERVICES	PETTY CASH REIMBURSEMEMNTS	141.60
27580	08/09/2011	COMMISSIONER OF STATE REVENUE	Rates refund for assessment A97011	502.16
27581	08/09/2011	THE INTERMEDIA GROUP PTY LTD	GOVERNMENT NEWS 1 YEAR RENEWAL RATE	48.00
27582	08/09/2011	KYA VERRAN	FUNDS RAISED BY FUNDRAISING COMMITTEE	136.00
27583	08/09/2011	WATER CORPORATION	WATER USAGE CHARGES VARIOUS LOCATIONS	10305.40
27584	08/09/2011	ZURICH AUSTRALIA INSURANCE COMPANY LTD	EXCESS FOR A51837	300.00
27585	15/09/2011	AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY	LICENSING FEES	2709.00
27586	15/09/2011	CASH	FAREWELL VOUCHER FOR NEIL GRAHAM - 13 YEARS	195.00
27587	15/09/2011	DEPARTMENT OF TRANSPORT	VEHICLE REGISTRATION P3192	273.80
27588	15/09/2011	DYSON APPLIANCES (AUST) PTY LTD	FILTER & CONTACT HEAD SUIT DYSON FOR DAYCARE	78.00
27589	15/09/2011	TELSTRA CORPORATION LIMITED	TELEPHONE CHARGES	11441.29
27590	15/09/2011	TORBAY VOLUNTEER BUSH FIRE BRIDAGE	QUARTERLY ESL PAYMENT 2011/12	165.00
27591	15/09/2011	WATER CORPORATION	MANAGEMENT FEES SEPTAGE PLANT	6877.05
27592	15/09/2011	ZURICH AUSTRALIA INSURANCE COMPANY LTD	EXCESS CLAIM NUMBER 023562	300.00
		TOTAL		**$65,651.91**

AGENDA ITEM 4.1 REFERS

EFT	Date	Name	Description	Amount
EFT69480	01/09/2011	ALBANY COMMUNITY HOSPICE	Payroll deductions	34.00
EFT69481	01/09/2011	AMP SUPERANNUATION LIMITED	Superannuation contributions	1165.15
EFT69482	01/09/2011	AUSTRALIAN TAXATION OFFICE	Payroll deductions	205827.70
EFT69483	01/09/2011	AUSTRALIAN SERVICES UNION WA BRANCH	Payroll deductions	3587.80
EFT69484	01/09/2011	AUSTRALIAN PRIMARY SUPERANNUATION FUND	Superannuation contributions	319.88
EFT69485	01/09/2011	AUSTRALIAN SUPER	Superannuation contributions	1284.77
EFT69486	01/09/2011	AUSTRALIAN ETHICAL SUPERANNUATION FUND	Superannuation contributions	290.54
EFT69487	01/09/2011	BT SUPER FOR LIFE	Superannuation contributions	346.04
EFT69488	01/09/2011	BT SUPER FOR LIFE	Superannuation contributions	363.74
EFT69489	01/09/2011	CHILD SUPPORT AGENCY	Payroll deductions	191.80
EFT69490	01/09/2011	COLONIAL FIRST STATE ROLLOVER & SUPER FUND	Superannuation contributions	423.70
EFT69491	01/09/2011	COLONIAL FIRST STATE FIRSTCHOICE PERSONAL SUPER	Superannuation contributions	1158.17
EFT69492	01/09/2011	COLONIAL FIRST STATE WHOLESALE SUPER FUND	Superannuation contributions	44.00
EFT69493	01/09/2011	GENERATIONS PERSONAL SUPER FUND	Superannuation contributions	78.80
EFT69494	01/09/2011	GENERATIONS PERSONAL SUPER FUND	Payroll deductions	449.70
EFT69495	01/09/2011	GENERATIONS PERSONAL SUPER FUND	Superannuation contributions	43.78
EFT69496	01/09/2011	HBF OF WA	Payroll deductions	973.50
EFT69497	01/09/2011	ING INTEGRA SUPER	Superannuation contributions	107.76
EFT69498	01/09/2011	ING ONE ANSWER PERSONAL SUPER	Superannuation contributions	482.36
EFT69499	01/09/2011	MACQUARIE BANK	Payroll deductions	3668.96
EFT69500	01/09/2011	MACQUARIE BANK LIMITED	Superannuation contributions	2748.90
EFT69501	01/09/2011	ONEPATH MASTERFUND	Superannuation contributions	1236.26
EFT69502	01/09/2011	REST SUPERANNUATION	Superannuation contributions	4240.80
EFT69503	01/09/2011	MARITIME SUPER	Superannuation contributions	161.81
EFT69504	01/09/2011	SPECTRUM SUPER	Superannuation contributions	214.27
EFT69505	01/09/2011	WA LOCAL GOVT SUPERANNUATION	Superannuation contributions	109419.86
EFT69506	01/09/2011	WAYNE JOHN STEAD PTY LTD SUPERANNUATION FUND	Payroll deductions	445.98
EFT69507	01/09/2011	WESTSCHEME	Superannuation contributions	3122.86
EFT69508	01/09/2011	ROSEMARY ALISON ADAMSON	Rates refund for assessment A218992	878.37
EFT69509	01/09/2011	ADVERTISER PRINT	20,000 PLAIN FACE DL ENVELOPES PRINTED IN 3 COLOURS/20,000 WINDOW FACE DL ENVELOPES PRINTED IN 3 COLOURS	4458.00
EFT69510	01/09/2011	ALBANY FARM TREE NURSERY	TRAY OF GRO TUBES	60.50
EFT69511	01/09/2011	ALBANY OFFICE PRODUCTS - NORTH ROAD	HANRAHAN ROAD WASTE SITE BULK STATIONERY ORDER	715.25
EFT69512	01/09/2011	ALBANY OFFICE PRODUCTS - VAC	BULK STATIONERY SUPPLIES	346.75
EFT69513	01/09/2011	ALBANY OFFICE PRODUCTS - WORKS DEPOT	DEPOT BULK STATIONERY ORDER 2011/2012	774.30
EFT69514	01/09/2011	ALBANY OFFICE PRODUCTS - LIBRARY	STATIONERY SUPPLIES	982.09
EFT69515	01/09/2011	ALBANY OFFICE PRODUCTS - VISITORS CENTRE	BULK STATIONERY ORDER	1049.40
EFT69516	01/09/2011	ALINTA	GAS USAGE CHARGES 8/7/2011 - 10/8/2011	362.65

AGENDA ITEM 4.1 REFERS

EFT69517	01/09/2011	ART ON THE MOVE	COST SHARE ART ON THE MOVE TOURING EXHIBITION DAVID GREGSON	2750.00
EFT69518	01/09/2011	ART MATTERS	PURCHASE OF EDUCATIONAL DVD'S	198.00
EFT69519	01/09/2011	ATC WORK SMART	CASUAL STAFF	6190.20
EFT69520	01/09/2011	BARNESBY FORD	VEHICLES/VEHICLE PARTS/REPAIRS	1160.72
EFT69521	01/09/2011	BENNETTS BATTERIES	TRANS DA OIL X 20LT	107.36
EFT69522	01/09/2011	BEST OFFICE SYSTEMS	PHOTOCOPIER CHARGES	389.50
EFT69523	01/09/2011	BOOKEASY AUSTRALIA PTY LTD	BOOKEASY BOOKING RETURNS COMMISSION/MONTHLY FEES JUNE & JULY 2011	3478.39
EFT69524	01/09/2011	GPS BOUCHER-HOPE & AK LOCAL	Rates refund for assessment A41505	22.18
EFT69525	01/09/2011	CARDNO (WA) PTY LTD	DESIGN OF LANDFILL LANDFORMS FOR HANRAHAN ROAD AND BAKERS JUNCTION TIPS	17867.78
EFT69526	01/09/2011	BUNNINGS BUILDING SUPPLIES PTY LTD	NURSERY SUPPLIES	329.06
EFT69527	01/09/2011	BRIAN CAMPBELL	Rates refund for assessment A141385	75.14
EFT69528	01/09/2011	CARROLL AND RICHARDSON FLAGS	FLAGS FOR FORTS	795.00
EFT69529	01/09/2011	COCA-COLA AMATIL PTY LTD	SOFT DRINK SUPPLIES - ALAC	557.29
EFT69530	01/09/2011	COLES SUPERMARKETS AUSTRALIA PTY LTD	CATERING SUPPLIES ALAC	97.90
EFT69531	01/09/2011	COURIER AUSTRALIA	FREIGHT CHARGES	769.69
EFT69532	01/09/2011	HOLCIM (AUSTRALIA) PTY LTD	CONCRETE SUPPLIES	512.27
EFT69533	01/09/2011	C T MANAGEMENT GROUP	WASTE OPERATIONS FEASIBILITY STUDY PROPOSAL	1896.00
EFT69534	01/09/2011	MICHAEL CUDDIHY	LIWA STATE CONFERENCE REIMBURSEMENTS	129.25
EFT69535	01/09/2011	D & K ENGINEERING	MOWER REPAIRS	330.00
EFT69536	01/09/2011	CGS QUALITY CLEANING	CLEANING SERVICES AIRPORT JULY 2011	3560.00
EFT69537	01/09/2011	LANDGATE	VALUATION ROLLS	137.00
EFT69538	01/09/2011	G & M DETERGENTS & HYGIENE SERVICES ALBANY	HYGIENE SERVICES JUNE 2011	1492.81
EFT69539	01/09/2011	SIMON EDWARDS	AIR BP CALL OUTS	9.89
EFT69540	01/09/2011	ELLEKER PROGRESS & SPORTING ASSOCIATION	CONTRACT COSTS FOR GRANT BOONZAAIER	200.00
EFT69541	01/09/2011	EYERITE SIGNS	2 x engraved cast iron plaques for inclusion on the Avenue of Honour, Mt Clarence, as per request by SWALSC/ASSORTED SIGNAGE	1788.60
EFT69542	01/09/2011	FARM FRESH W/SALERS (VIOLET PARK HOLDINGS P/L	CATERING SUPPLIES	39.51
EFT69543	01/09/2011	FIRE AND EMERGENCY SERVICES AUTHORITY OF WA	2011/12 ESL QUARTER 1 CONTRIBUTION	634537.72
EFT69544	01/09/2011	THE FIXUPPERY	WINDOW CLEANING - AIRPORT	220.00
EFT69545	01/09/2011	GALLERY 500	ART SUPPLIES	65.32
EFT69546	01/09/2011	GRANDE FOOD SERVICE	CATERING SUPPLIES ALAC	227.03
EFT69547	01/09/2011	GREAT SOUTHERN AVIATION	RADIO OPERATORS COURSE	66.00
EFT69548	01/09/2011	GREAT SOUTHERN INSTITUTE OF TECHNOLOGY	BWTM & TC course fees for Graham Biddulph/Melissa Fone/Jai Frantom/Mary Holt/Travis Monck/Anthony Wright	2915.00
EFT69549	01/09/2011	GREAT SOUTHERN SAND AND LANDSCAPING SUPPLIES	BOLTS TO SUIT J BUCKET MOUNTING PLATE	192.50
EFT69550	01/09/2011	GREAT SOUTHERN PACKAGING SUPPLIES	CLEANING SUPPLIES	1197.20
EFT69551	01/09/2011	GREAT SOUTHERN LIQUID WASTE	PUMP OUT SURFERS BEACH ABLUTIONS	160.00
EFT69552	01/09/2011	PROTECTOR FIRE SERVICES PTY LTD	FIRE EQUIPMENT TESTING	187.00

AGENDA ITEM 4.1 REFERS

EFT69553	01/09/2011	HELEN LEEDER-CARLSON	CREATIVE SENIORS ART CLASSES	265.00
EFT69554	01/09/2011	KNOTTS PLUMBING PTY LTD	PLUMBING REPAIRS/MAINTENANCE	492.25
EFT69555	01/09/2011	LINCOLN AND GOMM WINES	VOLUNTEERS WEEK REFRESHMENTS	869.85
EFT69556	01/09/2011	MAGPIES MAGAZINE PTY LTD	MAGPIES MAGAZINE TALKING ABOUT BOOKS FOR CHILDREN	53.00
EFT69557	01/09/2011	ALBANY CITY MOTORS	VEHICLES/VEHICLE PARTS/REPAIRS	25.64
EFT69558	01/09/2011	METROOF ALBANY	ROOFING SUPPLIES	3.70
EFT69559	01/09/2011	MIDWEST SECRETARIAL / LABOUR HIRE	CONTRACT COSTS FOR GRANT BOONZAAIER	4909.45
EFT69560	01/09/2011	NATIONWIDE NEWS	ADVERTISING - AIRPORT TENDER	1235.52
EFT69561	01/09/2011	NOVOTEL LANGLEY PERTH HOTEL	ACCOMMODATION FOR J BOSTOCK, M EVANS & G BRIDE , PLUS MEALS, PARKING & OTHER ASSOCIATED COSTS AS REQUIRED (WALGA CONVENTION)	3169.10
EFT69562	01/09/2011	SANDRA O'DOHERTY	TOWN HALL TECHNICIAN	180.00
EFT69563	01/09/2011	OPUS INTERNATIONAL CONSULTANTS LTD	BAYONET HEAD SHOPPING CENTRE PEER REVIEW	3524.13
EFT69564	01/09/2011	PERTH AMBASSADOR HOTEL	Accommodation for Janet Harbach to attend WALGA Fleet Expo	394.30
EFT69565	01/09/2011	FULTON HOGAN INDUSTRIES	Only 15.8kgs of EzStreet cold asphalt pothole patch (1 x Pallet of 60 bags) for various road patching repairs	1980.00
EFT69566	01/09/2011	PLANT SUPPLY COMPANY	PLANTS/NURSERY SUPPLIES	359.92
EFT69567	01/09/2011	POWER PROTECT PTY LTD	CUSTOM RACK/FRAME W/SIDE PANELS	1675.36
EFT69568	01/09/2011	ROSMECH SALES AND SERVICE PTY LTD	VEHICLE PARTS	1377.02
EFT69569	01/09/2011	SHOP FOR SHOPS	RACKING	116.00
EFT69570	01/09/2011	SKYWEST AIRLINES	SKYWEST AIRLINES RETURN AIRFARE FOR FAILEEN JAMES - WALGA CONVENTION	1021.93
EFT69571	01/09/2011	SOUTHWAY DISTRIBUTORS (WA) PTY LTD	CATERING SUPPLIES ALAC	1530.96
EFT69572	01/09/2011	POSITION PARTNERS	Repairs to Hiper & GPS as per job no: 30408	1127.50
EFT69573	01/09/2011	STIRLING CONFECTIONERY PLUS	CONFECTIONERY SUPPLIES ALAC	393.39
EFT69574	01/09/2011	T & C SUPPLIES	HARDWARE/TOOL SUPPLIES	1383.82
EFT69575	01/09/2011	THE NAKED BEAN COFFEE ROASTERS	COFFEE SUPPLIES ALAC	252.10
EFT69576	01/09/2011	THE VEGIE SHOP	GROCERIES	222.98
EFT69577	01/09/2011	TRAILBLAZERS	PROTECTIVE CLOTHING	68.86
EFT69578	01/09/2011	ALBANY TYREPOWER	TYRE PURCHASES/MAINTENANCE	642.90
EFT69579	01/09/2011	VANCOUVER WASTE SERVICES (ARMOGEDIN PTY LTD)	soil conditioner/coarse sand mix	2200.00
EFT69580	01/09/2011	ALBANY & GREAT SOUTHERN WEEKENDER	ADVERTISING	322.08
EFT69581	01/09/2011	WESTERN WORK WEAR	UNIFORMS	160.00
EFT69582	01/09/2011	WURTH AUSTRALIA PTY LTD	VEHICLE PARTS/MAINTENANCE	320.60
EFT69583	01/09/2011	ZENITH LAUNDRY	LINEN/LAUNDRY SERVICES	38.59
EFT69584	01/09/2011	ZIPFORM	RATES NOTICES 2011/12	20617.84
EFT69585	02/09/2011	PALMER EARTHMOVING (AUSTRALIA) PTY LTD	LWR DENMARK RD (SLK 18.15-21.50) CONTRACT AS PER TENDER C10028	109102.41
EFT69587	08/09/2011	ABA SECURITY	SECURITY SERVICES	88.00
EFT69588	08/09/2011	AD CONTRACTORS PTY LTD	CATEMOL SUPPLIES	1716.00
EFT69589	08/09/2011	ADVERTISER PRINT	2000 FAQ ANZAC BROCHURES	1093.00

AGENDA ITEM 4.1 REFERS

EFT69590	08/09/2011	ALBANY TOYOTA	VEHICLE REPAIRS/MAINTENANCE	299.10
EFT69591	08/09/2011	ALBANY V-BELT AND RUBBER	VEHICLE PARTS	331.78
EFT69592	08/09/2011	ALBANY DRILLING	kitcher pk bore plus 6 m 150mm	720.00
EFT69593	08/09/2011	ALBANY PORT AUTHORITY	MSIC SECURITY CARD (2 YEAR)	235.00
EFT69594	08/09/2011	ALBANY REFRIGERATION	REFRIGERATION & AIRCONDITIONING REPAIRS & MAINTENANCE	253.00
EFT69595	08/09/2011	ALBANY OFFICE PRODUCTS - NORTH ROAD	NORTH ROAD ADMIN OFFICE BULK STATIONERY ORDER 2011/2012	14879.70
EFT69596	08/09/2011	ALBANY AND REGIONAL VOLUNTEER SERVICE	ASSISTANCE WITH OPERATIONAL COSTS 1/7/2011 - 30/6/2012	7500.00
EFT69597	08/09/2011	ALBANY MILK DISTRIBUTORS	MILK DELIVERIES	661.58
EFT69598	08/09/2011	ALBANY OFFICE PRODUCTS - ALAC	ALAC BULK STATIONERY ORDER 2011/2012	2321.45
EFT69599	08/09/2011	ARTCRAFT PTY LTD	SIGNAGE	753.50
EFT69600	08/09/2011	ATC WORK SMART	CASUAL LABOUR HIRE	12069.08
EFT69601	08/09/2011	AUSSIE DRAWCARDS PTY LTD	QUARTERLY SERVICES SEPT - NOV 2011	201.00
EFT69602	08/09/2011	AUSTRAL MERCANTILE COLLECTIONS PTY LTD	RATES DEBT RECOVERY	1152.25
EFT69603	08/09/2011	BENNETTS BATTERIES	RUBIA OIL 200LT	770.00
EFT69604	08/09/2011	BEST OFFICE SYSTEMS	PHOTOCOPIER CHARGES	886.84
EFT69605	08/09/2011	BLOOMIN FLOWERS	FLOWER DELIVERY	66.00
EFT69606	08/09/2011	ALBANY BOBCAT SERVICES	BOBCAT & TRUCK HIRE	1760.00
EFT69607	08/09/2011	BOOKEASY AUSTRALIA PTY LTD	BOOKEASY BOOKING RETURNS JUNE 2011	859.14
EFT69608	08/09/2011	BRANDNET PTY LTD T/AS MILITARY SHOP	FORTS MERCHANDISE	847.06
EFT69609	08/09/2011	BUILDING AND CONSTRUCTION IND TRAINING FUND	BCITF LEVY AUGUST 2011	7333.89
EFT69610	08/09/2011	BUILDERS REGISTRATION BOARD	BRB LEVY JULY 2011	1841.50
EFT69611	08/09/2011	BUNNINGS BUILDING SUPPLIES PTY LTD	HARDWARE/TOOL SUPPLIES	123.73
EFT69612	08/09/2011	CABCHARGE AUSTRALIA LIMITED	TAXI FARES	470.03
EFT69613	08/09/2011	J & S CASTLEHOW ELECTRICAL SERVICES	ELECTRICAL REPAIRS/MAINTENANCE	1869.62
EFT69614	08/09/2011	CHAMELEON TECHNOLOGY	ANNUAL LICENSE RENEWAL FEE CHAMELEON SUITE	6837.60
EFT69615	08/09/2011	CHILDREN'S BOOK COUNCIL OF AUSTRALIA	CBW MERCHANDISE	161.00
EFT69616	08/09/2011	BIS CLEANAWAY LIMITED	RUBBISH REMOVAL CONTRACT	373.28
EFT69617	08/09/2011	COLES SUPERMARKETS AUSTRALIA PTY LTD	GROCERIES - DAYCARE	997.72
EFT69618	08/09/2011	COMMUNITY ARTS NETWORK WA INC	MEMBERSHIP RENEWAL APRIL 2011 - APRIL 2012	27.00
EFT69619	08/09/2011	COVS PARTS PTY LTD (FORMERLY COVENTRYS)	VEHICLE PARTS	1323.24
EFT69620	08/09/2011	CREATE EMPOWER (KERRY SHAW)	CATERING REIMBURSEMENTS NAIDOC WEEK	62.00
EFT69621	08/09/2011	CRUMPS CANVAS	REPAIRS TO INFLATABLE OBSTACLE COURSE	1166.00
EFT69622	08/09/2011	DOWNER EDI WORKS PTY LTD	GRANITE/HOTMIX/COLDMIX	924.80
EFT69623	08/09/2011	CUBIC PROMOTE ZOOMSTIX	USB KEYS	1100.00
EFT69624	08/09/2011	AL CURNOW HYDRAULICS	VEHICLE PARTS/MAINTENANCE	98.73
EFT69625	08/09/2011	DATA #3 LIMITED	GSVVRT3MR1Y - 1 year maintenance on ShadowProtect Virtual Server Edition, 3 guests until 30/6/12 (conversion of existing physical licenses)	1418.54
EFT69626	08/09/2011	MARTINO DE GIAMBATTISTA	Rates refund for assessment A145739	2923.35
EFT69627	08/09/2011	DEPARTMENT OF TRANSPORT	SEARCH FOR VEHICLE OWNERSHIPS	66.00
EFT69628	08/09/2011	G & M DETERGENTS & HYGIENE SERVICES ALBANY	HYGIENE CONTRACT	1492.81

AGENDA ITEM 4.1 REFERS

EFT69629	08/09/2011	DOWN TO EARTH TRAINING & ASSESSING	White Card online for Jai Frantom	75.00
EFT69630	08/09/2011	DYMOCKS ALBANY	BOOK PURCHASE	14.41
EFT69631	08/09/2011	ECLECTIC EVENTS	CO-ORDINATION OF THE HOLLOW LOG GOLFING TOURNAMENT	900.00
EFT69632	08/09/2011	MILTON EVANS	EXPENSES REIMBURSEMENT M EVANS	482.39
EFT69633	08/09/2011	EVERTRANS	VEHICLE REPAIRS	4800.40
EFT69634	08/09/2011	ALL TRUCK REPAIRS	VEHICLE REPAIRS/MAINTENANCE	1532.57
EFT69635	08/09/2011	ESPLANADE HOTEL FREMANTLE	TRAINING - COMPULSORY CERTIFICATES	300.00
EFT69636	08/09/2011	GALLERY 500	ART SUPPLIES	98.26
EFT69637	08/09/2011	GLASS SUPPLIERS	REGLAZING OF WINDOWS - ALAC	1195.50
EFT69638	08/09/2011	GOAD RESOURCES PTY LTD	FREIGHT/TRANSPORT CHARGES	126.50
EFT69639	08/09/2011	GREAT SOUTHERN GROUP TRAINING	CASUAL LABOUR HIRE	1875.98
EFT69640	08/09/2011	GREAT SOUTHERN INSTITUTE OF TECHNOLOGY	INTRO TO WORD COURSE FEE	99.00
EFT69641	08/09/2011	GREEN SKILLS INC	CASUAL LABOUR	10197.28
EFT69642	08/09/2011	GREAT SOUTHERN PACKAGING SUPPLIES	CLEANING SUPPLIES	1306.64
EFT69643	08/09/2011	GREAT SOUTHERN BEARINGS	VEHICLES/VEHICLE PARTS/REPAIRS	11.99
EFT69644	08/09/2011	HANSON EXECUTIVE MANAGEMENT	PROJECT MANAGEMENT CONSULTANCY FEE	18332.60
EFT69645	08/09/2011	HAYNES ROBINSON	SURRENDER, LEASE AND SUB LEASE DOCUMENTS	2459.32
EFT69646	08/09/2011	HELEN LEEDER-CARLSON	SET UP NOONGAR ART EXHIBITION	920.00
EFT69647	08/09/2011	SD & AW HOWIE & SONS	CBW BUS HIRE MT MANY PEAKS - ALBANY - MT MANY PEAKS	300.00
EFT69648	08/09/2011	HUDSON HENNING AND GOODMAN	LEGAL FEES - STAFF CONTRACT ADVICE/DISPUTE NOTIFICATION/LEASES	30347.90
EFT69649	08/09/2011	JOHN KINNEAR AND ASSOCIATES	ROAD WIDENING 946 MILLBROOK RD	3267.00
EFT69650	08/09/2011	JUST SEW EMBROIDERY	POLO SHIRTS & EMBROIDERY	195.25
EFT69651	08/09/2011	JUST A CALL DELIVERIES	INTERNAL MAIL DELIVERIES	1005.40
EFT69652	08/09/2011	KLB SYSTEMS	Samsung 22W 5MS 1680X1050 300CD/M2 70K:1 DC/Samsung LED	2310.00
EFT69653	08/09/2011	KNOTTS PLUMBING PTY LTD	PLUMBING REPAIRS/MAINTENANCE	504.54
EFT69654	08/09/2011	KIMBERLEY ROSS KRAKOUER	CURATION OF NOONGAR EXHIBITION	720.00
EFT69655	08/09/2011	LIBRA ENTERPRISES (WA) PTY LTD	VISITORS CENTRE MERCHANDISE	203.12
EFT69656	08/09/2011	CALTEX ENERGY WA	FUEL DIESEL	55214.81
EFT69657	08/09/2011	LOWER KING LIQUOR & GENERAL STORE	REFRESHMENTS	283.93
EFT69658	08/09/2011	ALBANY CITY MOTORS	FRONT SPRING SETS TO SUIT ISUZU GIGA/VEHICLE PARTS/REPAIRS	3621.66
EFT69660	08/09/2011	JAMES MCLEAN	POTTER TUITION AUGUST 2011	600.00
EFT69661	08/09/2011	METROOF ALBANY	BUS SHELTERS MATERIALS	24.54
EFT69662	08/09/2011	MISS MAUD SWEDISH HOTEL	ACCOMMODATION - LIBRARY STAFF	398.25
EFT69663	08/09/2011	JOHN MOIR	RUBBISH REMOVAL FROM CAPE RICHE	480.00
EFT69664	08/09/2011	MT ROMANCE AUSTRALIA PTY LTD	MERCHANDISE	136.42
EFT69665	08/09/2011	NATALIE RADIVOJEVIC	CURATOR SERVICES	946.00
EFT69666	08/09/2011	NOVOTEL LANGLEY PERTH HOTEL	ACCOMMODATION M EVANS	1571.00
EFT69667	08/09/2011	OCS SERVICES PTY LTD	SPECIAL CLEANING SERVICES	640.24
EFT69668	08/09/2011	MICHAEL JAMES O'DOHERTY	ALBANY BOAT SHOW	1000.00
EFT69669	08/09/2011	OKEEFE'S PAINTS	PAINT SUPPLIES	330.97

AGENDA ITEM 4.1 REFERS

EFT69670	08/09/2011	OPUS INTERNATIONAL CONSULTANTS LTD	Pfieffer Rd Design (SLK 20.80 - 27.80) 11/12	19442.50
EFT69671	08/09/2011	ORICA AUSTRALIA P/L	CHLORINE SUPPLIES	2222.00
EFT69672	08/09/2011	OTIS ELEVATOR COMPANY P/L	LIFT MAINTENANCE - LIBRARY 1/10/2011 - 31/12/2011	396.90
EFT69673	08/09/2011	PAULS PET FOODS	DRY DOG FOOD	57.00
EFT69674	08/09/2011	PAUL G ROBERTSON AND ASSOCIATES	CONSULTANT ENGINEER DESIGN CHECKS	2930.40
EFT69675	08/09/2011	ROLAND PAVER	IT ALLOWANCE R PAVER	1040.00
EFT69676	08/09/2011	R & J PEMBERTON T/A WILDLIFE BOTANICA	GREETING CARDS	91.08
EFT69677	08/09/2011	HANSON CONSTRUCTION MATERIALS PTY LTD	CONCRETE SUPPLIES	1037.45
EFT69678	08/09/2011	4 STEEL SUPPLIES	Pack of 10 XL Pipe/pack of 50 XL Pipe PLUS DELIVERY COSTS	2142.42
EFT69679	08/09/2011	PLASTICS PLUS	12 X GREEN WHEELIE BIN	1127.50
EFT69680	08/09/2011	RIPEN	TEAM LEADER VISITORS CENTRE 9-22 AUGUST 2011	4818.00
EFT69681	08/09/2011	UNITED TOOLS ALBANY	HARDWARE/TOOL SUPPLIES	145.05
EFT69683	08/09/2011	KAITLYN SEYMOUR	ADMIN ASSISTANCE AUG 2011	748.80
EFT69684	08/09/2011	JH & HR SHANKS	Rates refund for assessment A187317	12.27
EFT69685	08/09/2011	SHEILAH RYAN	GARDENING SERVICES VAC	390.00
EFT69686	08/09/2011	THE SINGING TREE ALBANY	BOOK PURCHASE	42.49
EFT69687	08/09/2011	SKILL HIRE WA PTY LTD	CASUAL LABOUR HIRE	676.94
EFT69688	08/09/2011	SMITHS ALUMINIUM & 4WD CENTRE	Replace and upgrade broken draw rollers on Reticulation ute	401.50
EFT69689	08/09/2011	SOUTHERN ELECTRICS	ELECTRICAL REPAIRS/MAINTENANCE	736.61
EFT69690	08/09/2011	SOUTHERN TOOL & FASTENER CO	HARDWARE SUPPLIES	206.17
EFT69691	08/09/2011	SOUTHERN REGIONAL MEDICAL GROUP	FLU SHOT VACCINATIONS X 21	658.35
EFT69692	08/09/2011	SOUTHWAY DISTRIBUTORS (WA) PTY LTD	CATERING SUPPLIES	686.91
EFT69693	08/09/2011	SOUTH WEST FIRE UNITS	SUPPLY 2 X GAAM DIAPHRAMS	199.54
EFT69694	08/09/2011	SOUTHCOAST SECURITY SERVICE	SECURITY SERVICES	8523.21
EFT69695	08/09/2011	SPEEDO AUSTRALIA PTY LTD	SPORTS STORE PURCHASES	820.05
EFT69696	08/09/2011	SPORTSWORLD OF WA	SPORTS STORE PURCHASES	6851.90
EFT69697	08/09/2011	STATEWIDE BEARINGS	VEHICLE PARTS	78.23
EFT69698	08/09/2011	BLUESCOPE DISTRIBUTION PTY LTD	CONSTRUCTION MATERIALS	61.09
EFT69699	08/09/2011	ALBANY LOCK SERVICE	LOCK REPAIRS/MAINTENANCE	148.80
EFT69700	08/09/2011	SUPER CHEAP AUTOS	ARMORAL PROTECTANT	53.94
EFT69701	08/09/2011	SYNERGY	STREETLIGHTING & AUXILLARY LIGHTING CHARGES 23/7/11 - 24/8/11	61293.58
EFT69702	08/09/2011	T & C SUPPLIES	METABO CORDLESS COMBO KIT/HARDWARE SUPPLIES/TOOLS	2590.58
EFT69703	08/09/2011	DAVID THEODORE	REIMBURSEMENT FOR MERCHANDISE PURCHASES	178.21
EFT69704	08/09/2011	THE VEGIE SHOP	GROCERIES	162.04
EFT69705	08/09/2011	TOTAL GREEN RECYCLING	E-WASTE RECYCLING	2274.69
EFT69706	08/09/2011	TRAILBLAZERS	ICE - ALAC	5.90
EFT69707	08/09/2011	ALBANY TYREPOWER	TYRE PURCHASES/MAINTENANCE	791.50
EFT69708	08/09/2011	VANCOUVER WASTE SERVICES (ARMOGEDIN PTY LTD)	SCREENED TOP SOIL	211.00
EFT69709	08/09/2011	F& V VAN DER SCHAAF	Rates refund for assessment A205444	28.32
EFT69710	08/09/2011	THE IT VISION USER GROUP (INC)	ANNUAL SUBSCRIPTION 2011/2012	522.50

AGENDA ITEM 4.1 REFERS

EFT69711	08/09/2011	ALBANY & GREAT SOUTHERN WEEKENDER	ADVERTISING	1020.91
EFT69712	08/09/2011	WELLSTEAD COMMUNITY RESOURCE CENTRE INC.	TELEPHONE/ PHOTOCOPIER CHARGES	57.90
EFT69713	08/09/2011	WESTRAC EQUIPMENT PTY LTD	VEHICLE PARTS	275.48
EFT69714	08/09/2011	WA LOCAL GOVERNMENT ASSOCIATION	ROMAN II LICENSE FEES	18648.00
EFT69715	08/09/2011	LANDMARK LIMITED	SOIL AND LEAF SAMPLE KITS	12.35
EFT69716	08/09/2011	WESTERN WORK WEAR	UNIFORMS	34.20
EFT69717	08/09/2011	WOOD AND GRIEVE ENGINEERS	SUPERINTENDENCE LWR KING RD (SLK 2.34-3.07) STAGE 2	2250.00
EFT69718	08/09/2011	WREN OIL	WASTE OIL DISPOSAL	1185.80
EFT69719	08/09/2011	MCLEODS BARRISTERS & SOLICITORS	LOCAL GOVT DEPT ENQUIRIES RE ANNUAL BUDGET - LEGISLATIVE ASSEMBLY	4469.59
EFT69720	08/09/2011	RURAL HEALTH WEST	BUILDING THE FUTURE OF RURAL HEALTH CONFERENCE	3300.00
EFT69721	08/09/2011	SECUREPAY PTY LTD	SEAT ADVISOR	26.24
EFT69722	08/09/2011	SHIRE OF DENMARK	SHIRE OF DENMARK 100TH CELEBRATION DINNER	75.00
EFT69723	12/09/2011	COTTESLOE BEACH HOUSE STAY	GUEST TOWN STAFF ACCOMODATION	2340.00
EFT69724	12/09/2011	MCLEODS BARRISTERS & SOLICITORS	LEGAL COSTS - DR144 OF 2011 - CURLEWIS & OTHERS V CITY OF ALBANY	3260.72
EFT69725	15/09/2011	AD CONTRACTORS PTY LTD	CATEMOL SUPPLIES	1573.00
EFT69726	15/09/2011	ADVERTISER PRINT	REPRINT 5,000 FORTS BROCHURES	796.00
EFT69727	15/09/2011	EDENBORN PTY LTD	Contract mowing of verges for August 2011	4534.10
EFT69728	15/09/2011	ALBANY SOIL AND CONCRETE TESTING	Geotech for Palmdale Road	7807.80
EFT69729	15/09/2011	ALBANY V-BELT AND RUBBER	VEHICLE PARTS	584.08
EFT69730	15/09/2011	ALBANY STATIONERS	STATIONERY SUPPLIES	152.65
EFT69731	15/09/2011	ALBANY LANDSCAPE SUPPLIES	VARIOUS SOILS, MULCHES, GRAVELS ETC.	226.00
EFT69732	15/09/2011	ALBANY AUTO 1	VEHICLE MAINTENANCE/PARTS	74.90
EFT69733	15/09/2011	ALBANY OFFICE PRODUCTS - NORTH ROAD	STATIONERY SUPPLIES	236.05
EFT69734	15/09/2011	ALBANY NEWS DELIVERY	NEWSPAPER DELIVERIES VAC	23.15
EFT69735	15/09/2011	ALBANY QUALITY LAWNMOWING	MOWING AT LOTTERIES HOUSE	100.00
EFT69736	15/09/2011	ALBANY MILK DISTRIBUTORS	MILK DELIVERIES HANRAHAN	78.81
EFT69737	15/09/2011	ALBANY OFFICE PRODUCTS - WORKS DEPOT	DEPOT BULK STATIONERY ORDER 2011/2012	162.15
EFT69738	15/09/2011	ALBANY OFFICE PRODUCTS - LIBRARY	STATIONERY SUPPLIES	160.75
EFT69739	15/09/2011	ALLIED PUMPS	CHECK FAULT AT ELLEN COVE PUMPING STATION	357.50
EFT69740	15/09/2011	AMPAC DEBT RECOVERY (WA) PTY LTD	RATES COLLECTION COSTS	4370.47
EFT69741	15/09/2011	ANCHORAGE PARK PTY LTD	Rates refund for assessment A63977	161.23
EFT69742	15/09/2011	ARTCRAFT PTY LTD	SIGNAGE - STREET BLADES	426.80
EFT69743	15/09/2011	ART MATTERS	EDUCATIONAL DVD A DESIRE TO RELATE""	33.00
EFT69744	15/09/2011	ATC WORK SMART	CASUAL LABOUR	9893.19
EFT69745	15/09/2011	AURORA ENVIRONMENTAL	CONSULTING SERVICES PL LOT 4743 YAKAMIA REVIEW	3784.00
EFT69746	15/09/2011	AUSTRALIA POST	POSTAL CHARGES	7582.55
EFT69747	15/09/2011	BALL BODY BUILDERS	CHAMBERS, HEADWALLS & MANHOLE COVERS	4853.33
EFT69748	15/09/2011	BARNESBY FORD	VEHICLES/VEHICLE PARTS/REPAIRS	586.28
EFT69749	15/09/2011	BARRETTS MINI EARTHMOVING & CHIPPING	The removal of Gum Trees located in Warrenup	3120.00

AGENDA ITEM 4.1 REFERS

EFT69750	15/09/2011 BENNETTS BATTERIES	BATTERY SUPPLIES	413.60
EFT69751	15/09/2011 BOC GASES AUSTRALIA LIMITED	CONTAINER SERVICE RENTAL	205.07
EFT69752	15/09/2011 BOOKMARKETING - GARY SPELLER	LOCAL STOCKS BOOKMARKETING	41.00
EFT69753	15/09/2011 BORNHOLM VOLUNTEER BUSH FIRE BRIGADE	QUARTERLY ESL PAYMENT 2011/12	1250.00
EFT69754	15/09/2011 BUNNINGS BUILDING SUPPLIES PTY LTD	VARIOUS FERTILIZERS, SOIL ADDITIVES, RETICULATION SUPPLES, HOSES	165.68
EFT69755	15/09/2011 LOUISE BURGLER	REIMBURSEMENTS - STAFF FAREWELL SUNDOWNER	100.00
EFT69756	15/09/2011 J & S CASTLEHOW ELECTRICAL SERVICES	ELECTRICAL REPAIRS/MAINTENANCE PRINCESS ROYAL DRIVE	5945.78
EFT69757	15/09/2011 SYNERGY GRAPHICS	REDRAW AND COLOUR OF DAYCARE LOGO	297.00
EFT69758	15/09/2011 CIVIL SURVEY SOLUTIONS	STRINGER SURVEY SUBSCRIPTION RENERWAL/ADVANCED ROAD DESIGN SUBSCRIPTION	1540.00
EFT69759	15/09/2011 COCA-COLA AMATIL PTY LTD	CATERING SUPPLIES FOR ALAC	853.25
EFT69760	15/09/2011 COLES SUPERMARKETS AUSTRALIA PTY LTD	GROCERIES	184.54
EFT69761	15/09/2011 COVS PARTS PTY LTD (FORMERLY COVENTRYS)	VEHICLE PARTS	71.37
EFT69762	15/09/2011 HOLCIM (AUSTRALIA) PTY LTD	TONNES ROAD BASE	123.16
EFT69763	15/09/2011 AL CURNOW HYDRAULICS	Carry out crane service as required.	850.59
EFT69764	15/09/2011 CYNERGIC COMMUNICATIONS	WEB SITE MAINTENANCE	493.90
EFT69765	15/09/2011 ELDERS LIMITED	CHEMICALS	96.28
EFT69766	15/09/2011 ELLEKER VOLUNTEER BUSHFIRE BRIGADE	QUARTERLY ESL PAYMENT 2011/12	137.50
EFT69767	15/09/2011 FARM FRESH W/SALERS (VIOLET PARK HOLDINGS P/L	CATERING SUPPLIES FOR ALAC	100.30
EFT69768	15/09/2011 FARMERS CENTRE (1978) PTY LTD	VEHICLE PARTS	8.90
EFT69769	15/09/2011 FRANEY & THOMPSON	TIMBER SUPPLIES	201.96
EFT69770	15/09/2011 GALLERY 500	ART SUPPLIES	22.01
EFT69771	15/09/2011 GNOWELLEN VOLUNTEER BUSHFIRE BRIGADE	QUARTERLY ESL PAYMENT 2011/12	508.00
EFT69772	15/09/2011 GRANDE FOOD SERVICE	CATERING SUPPLIES FOR ALAC	116.61
EFT69773	15/09/2011 GREAT SOUTHERN GROUP TRAINING	CASUAL STAFF	1875.98
EFT69774	15/09/2011 GREEN RANGE BUSH FIRE BRIGADE	QUARTERLY ESL PAYMENT 2011/12	375.00
EFT69775	15/09/2011 GREAT SOUTHERN PACKAGING SUPPLIES	CLEANING GOODS	525.03
EFT69776	15/09/2011 LANCE ROBERT HAESE	Rates refund for assessment A136045	12.98
EFT69777	15/09/2011 WILLIAM FREDERICK HANSEN	Rates refund for assessment A123141	28.79
EFT69778	15/09/2011 HARVEY NORMAN ELECTRICAL ALBANY	Noirot 1500W Panel Heater	305.00
EFT69779	15/09/2011 HELEN LEEDER-CARLSON	NOONGAR PAINTING CLASSES	140.00
EFT69780	15/09/2011 HIGHWAY FIRE BRIGADE	QUARTERLY ESL PAYMENT 2011/12	650.00
EFT69781	15/09/2011 GW & LA HINKLEY	Rates refund for assessment A4274	72.01
EFT69782	15/09/2011 IBM AUSTRALIA LTD	MONTHLY SCHEDULE FOR SERVICES IBM EXPRESS MANAGED SERVICES	1307.08
EFT69783	15/09/2011 IPWEA NATIONAL	Registration fees for Fleet Management workshop	580.00
EFT69784	15/09/2011 JACK THE CHIPPER	CHIPPING SERVICES	1656.25
EFT69785	15/09/2011 JUST SEW EMBROIDERY	LOGOS FOR DEPOT WORKWEAR	88.00
EFT69786	15/09/2011 KALGAN BUSHFIRE BRIGADE	QUARTERLY ESL PAYMENT 2011/12	1262.50
EFT69787	15/09/2011 KING RIVER BUSHFIRE BRIGADE	QUARTERLY ESL PAYMENT 2011/12	1050.00
EFT69788	15/09/2011 KINJARLING INDIGENOUS CORPORATION	WELCOME TO COUNTRY - CAROL PETTERSEN	200.00

AGENDA ITEM 4.1 REFERS

EFT69789	15/09/2011	KNOTTS PLUMBING PTY LTD	Supply and install an aluminium cover lid to the dump point to connect trap to dump point	1893.45
EFT69790	15/09/2011	KOJANEERUP VOLUNTEER BUSHFIRE BRIGADE	QUARTERLY ESL PAYMENT 2011/12	275.00
EFT69791	15/09/2011	LANDFILL GAS AND POWER PTY LTD	ELECTRICITY CHARGES	50217.03
EFT69792	15/09/2011	LEASE CHOICE	PHOTOCOPIER MONTHLY LEASE V1691100006	970.20
EFT69793	15/09/2011	STATE LIBRARY OF WA	LOST/DAMAGED BOOKS	182.60
EFT69794	15/09/2011	LOADTEK AUST	HYDRAULIC PARTS & SERVICES	95.79
EFT69795	15/09/2011	M & A STEEL FABRICATION	BUS SHELTERS	3850.00
EFT69796	15/09/2011	ALBANY CITY MOTORS	VEHICLES/VEHICLE PARTS/REPAIRS	334.23
EFT69797	15/09/2011	MANYPEAKS BUSHFIRE BRIGADE	QUARTERLY ESL PAYMENT 2011/12	52.25
EFT69798	15/09/2011	MCINTOSH AND SON	VEHICLE PARTS/MAINTENANCE	858.66
EFT69799	15/09/2011	MCLEODS BARRISTERS & SOLICITORS	LEGAL COSTS - IMPOUNDED DOG - OFFER	396.29
EFT69800	15/09/2011	JAMES MCLEAN	POTTERY TUITION	600.00
EFT69801	15/09/2011	MERRIFIELD REAL ESTATE	STORAGE UNIT RENT OCTOBER 2011	200.00
EFT69802	15/09/2011	MIDALIA STEEL PTY LTD	STEEL SUPPLIES	25.25
EFT69803	15/09/2011	MIDWEST SECRETARIAL / LABOUR HIRE	CONTRACT COSTS FOR GRANT BOONZAAIER W/E 2/9/2011	1618.50
EFT69804	15/09/2011	MIRA MAR VETERINARY SERVICES	EUTHANASIA OF ANIMALS	357.50
EFT69805	15/09/2011	MONTGOMERY'S HILL	1 X CASE CHARDONNAY	155.00
EFT69806	15/09/2011	MR MOO DAIRY DISTRIBUTORS	MILK SUPPLIES FOR ALAC CAFE	1148.50
EFT69807	15/09/2011	NAPIER VOLUNTEER BUSHFIRE BRIGADE	QUARTERLY ESL PAYMENT 2011/12	683.75
EFT69808	15/09/2011	NASH RJ & ME	Rates refund for assessment A112223	284.00
EFT69809	15/09/2011	ALBANY NEAT AND TRIM LAWNS	LAWN MOWING SERVICES VAC	160.00
EFT69810	15/09/2011	NEVILLES HARDWARE & BUILDING SUPPLIES	HARDWARE SUPPLIES	271.35
EFT69811	15/09/2011	NOVOTEL LANGLEY PERTH HOTEL	ACCOMMODATION FOR CR DES AND MRS WOLFE - WALGA CONFERENCE	1645.00
EFT69812	15/09/2011	OKEEFE'S PAINTS	PAINT SUPPLIES	134.76
EFT69813	15/09/2011	RW & MG PATTERSON	Rates refund for assessment A175906	255.34
EFT69814	15/09/2011	PFD FOOD SERVICES PTY LTD	CATERING SUPPLIES FOR ALAC	430.20
EFT69815	15/09/2011	QI CONSULTING	CHANGE MANAGEMENT ROLE	8250.00
EFT69816	15/09/2011	REDMOND VOLUNTEER FIRE BRIGADE	QUARTERLY ESL PAYMENT 2011/12	645.00
EFT69817	15/09/2011	REECE PTY LTD	HARDWARE ITEMS/MAINTENANCE	43.71
EFT69818	15/09/2011	RICOH	PHOTOCOPIER CHARGES	11629.93
EFT69819	15/09/2011	PJ/SB ROBERTS	Rates refund for assessment A158322	77.40
EFT69820	15/09/2011	ROSMECH SALES AND SERVICE PTY LTD	SWEEPER SPARE PARTS	314.60
EFT69821	15/09/2011	CHILD AUSTRALIA	CONSULTANCY VISIT	60.00
EFT69822	15/09/2011	UNITED TOOLS ALBANY	Repairs to bosch 36v drill	49.55
EFT69823	15/09/2011	KAITLYN SEYMOUR	ADMIN ASSISTANCE VAC	149.76
EFT69824	15/09/2011	SIGNS PLUS	NAME BADGES	121.55
EFT69825	15/09/2011	DON SMITH	CBW PRESENTER DON SMITH	3270.80
EFT69826	15/09/2011	SOUTHERN TOOL & FASTENER COMPANY	HARDWARE SUPPLIES	245.06
EFT69827	15/09/2011	SOUTH COAST VOLUNTEER BUSH FIRE BRIGADE	QUARTERLY ESL PAYMENT 2011/12	1562.50

AGENDA ITEM 4.1 REFERS

EFT69828	15/09/2011	SOUTHWAY DISTRIBUTORS (WA) PTY LTD	CATERING SUPPLIES FOR ALAC	2637.49
EFT69829	15/09/2011	SOUTHCOAST SECURITY SERVICE	SECURITY SERVICES	839.25
EFT69830	15/09/2011	SOUTH STIRLINGS VOLUNTEER BUSHFIRE BRIGADE	QUARTERLY ESL PAYMENT 2011/12	276.75
EFT69831	15/09/2011	SPEEDO AUSTRALIA PTY LTD	SPORTS STORE PURCHASES	1154.45
EFT69832	15/09/2011	STIRLING CONFECTIONERY PLUS	CATERING SUPPLIES FOR ALAC	1023.92
EFT69833	15/09/2011	ST JOHN AMBULANCE AUSTRALIA	Basic Workplace First Aid Training for 10 staff	1005.00
EFT69834	15/09/2011	ALBANY LOCK SERVICE	LOCK SERVICES	224.50
EFT69835	15/09/2011	T & C SUPPLIES	HARDWARE/TOOL SUPPLIES	358.20
EFT69836	15/09/2011	THE NAKED BEAN COFFEE ROASTERS	CATERING SUPPLIES FOR ALAC	489.00
EFT69837	15/09/2011	THE VEGIE SHOP	GROCERIES FOR DAYCARE	176.60
EFT69838	15/09/2011	THINK PROMOTIONAL	2500 CUSTOM PRINTED BEACH BALLS FOR GUEST TOWN AND DELIVERY	4114.00
EFT69839	15/09/2011	TRAILBLAZERS	PROTECTIVE CLOTHING	151.75
EFT69840	15/09/2011	TRUCKLINE	FILTERS/VEHICLE PARTS/MAINTENANCE	376.10
EFT69841	15/09/2011	ALBANY TYREPOWER	TYRE PURCHASES/MAINTENANCE	328.30
EFT69842	15/09/2011	VISIT MERCHANDISE PTY LTD	MERCHANDISE ORDER FOR ALBANY VISITORS CENTRE	628.94
EFT69843	15/09/2011	NATALIE WEBB	Rates refund for assessment A68995	76.46
EFT69844	15/09/2011	ALBANY & GREAT SOUTHERN WEEKENDER	ADVERTISING	351.50
EFT69845	15/09/2011	WELLSTEAD VOLUNTEER BUSHFIRE BRIGADE	QUARTERLY ESL PAYMENT 2011/12	837.50
EFT69846	15/09/2011	WESTERN WORK WEAR	UNIFORMS	571.84
EFT69847	15/09/2011	DES WOLFE	WALGA CONFERENCES REIMBURSEMENTS	172.99
EFT69848	15/09/2011	YOUNGS SIDING BUSH FIRE BRIGADE	QUARTERLY ESL PAYMENT 2011/12	755.00
EFT69849	15/09/2011	ZENITH LAUNDRY	LINEN/LAUNDRY SERVICES	51.48
		TOTAL		**$1,773,060.95**

4.2: FINANCIAL ACTIVITY STATEMENT – 30TH SEPTEMBER 2011

Responsible Officer **:** Acting Executive Director Corporate Services (P Wignall)

IN BRIEF

- Statement of Financial Activity reporting on the revenue and expenditure of the City of Albany for the reporting period ending 30 September 2011.

ITEM 4.2: RESPONSIBLE OFFICER RECOMMENDATION

The Financial Activity Statement for the period ending 30 September 2011 be RECEIVED.

BACKGROUND

1. The Statement of Financial Activity for the period ending 30 September 2011 has been prepared and is attached.

2. In addition to the statutory requirement to provide Council with a Statement of Financial Performance, the City provides Council with a monthly investment summary to ensure the performance of the investment portfolio is in accordance with anticipated returns and complies with the Investment of Surplus Funds Policy.

DISCUSSION

3. In accordance with section 34(1) of the Local Government (Financial Management) Regulations 1996, the City of Albany is required to prepare each month a Statement of Financial Activity reporting on the revenue and expenditure of the local authority.

4. The requirement for local governments to produce a Statement of Financial Activity was gazetted in March 2005 to provide elected members with a greater insight in relation to the ongoing financial performance of the local government.

5. Additionally, each year a local government is to adopt a percentage or value to be used in Statements of Financial Activity for reporting material variances. Variations in excess of $100,000 are reported to Council.

"Please note that rounding errors may occur when whole numbers are used, as they are in the reports that follow. The 'errors' may be $1 or $2 when adding sets of numbers. This does not mean that the underlying figures are incorrect."

CEO:	RESPONSIBLE OFFICER:

6. STATEMENT OF FINANCIAL ACTIVITY – AS AT 30 SEPTEMBER 2011

FINANCIAL DETAIL NOT AVAILABLE AT TIME OF PRINTING

7. CITY OF ALBANY – NET CURRENT ASSETS – AS AT 30 SEPTEMBER 2011

FINANCIAL DETAIL NOT AVAILABLE AT TIME OF PRINTING

8. CITY OF ALBANY – STATEMENT OF FINANCIAL POSITION – AS AT 30 SEPTEMBER 2011

FINANCIAL DETAIL NOT AVAILABLE AT TIME OF PRINTING

9. STATEMENT OF COMPREHENSIVE INCOME (BY NATURE OR TYPE) – AS AT 30 SEPTEMBER 2011

FINANCIAL DETAIL NOT AVAILABLE AT TIME OF PRINTING

10. PORTFOLIO VALUATION – MARKET VALUE – AS AT 30 SEPTEMBER 2011

FINANCIAL DETAIL NOT AVAILABLE AT TIME OF PRINTING

Notes

11. FINANCIAL RATIOS - AS AT 30 SEPTEMBER 2011

FINANCIAL DETAIL NOT AVAILABLE AT TIME OF PRINTING

STATUTORY IMPLICATIONS

12. Section 34 of the Local Government (Financial Management) Regulations 1996 provides:

I. A local government is to prepare each month a statement of financial activity reporting on the source and application of funds, as set out in the annual budget under regulation 22 (1)(d), for that month in the following detail –

a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
b) budget estimates to the end of the month to which the statement relates;
c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relate
d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
e) the net current assets at the end of the month to which the statement relates.

II. Each statement of financial activity is to be accompanied by documents containing –

a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
b) an explanation of each of the material variances referred to in sub regulation (1)(d); and
c) such other supporting information as is considered relevant by the local government.

III. The information in a statement of financial activity may be shown –

a) according to nature and type classification;
b) by program; or
c) by business unit

IV. A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be —

(a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
(b) recorded in the minutes of the meeting at which it is presented.

FINANCIAL IMPLICATIONS *Expenditure for the period ending 31 August 2011 has been incurred in accordance with the 2011/12 proposed budget parameters. Details of any budget variation in excess of $100,000 (year to date) follow. There are no other known events which may result in a material non recoverable financial loss or financial loss arising from an uninsured event.*

13. VARIANCES TO BUDGET IN EXCESS OF $100,000 - AS AT 30 SEPTEMBER 2011

FINANCIAL DETAIL NOT AVAILABLE AT TIME OF PRINTING

POLICY IMPLICATIONS

14. The City's 2010/11 Annual Budget provides a set of parameters that guides the City's financial practices.

15. The Investment of Surplus Funds Policy stipulates that the status and performance of the investment portfolio is to be reported monthly to Council.

File Number (Name of Ward)	FM.FIR.2 - All Wards

4.3: REQUEST TO ADOPT FIRST QUARTER 2011-12 BUDGET REVIEW

Attachments : First Quarter 2011-12 Budget Review
Responsible Officer : Acting Executive Director Corporate Services (P Wignall)

IN BRIEF

- Adoption of the First Quarter 2011-12 Budget Review.

ITEM 4.3: RESPONSIBLE OFFICER RECOMMENDATION
VOTING REQUIREMENT: ABSOLUTE MAJORITY

THAT Council ADOPT the First Quarter 2011-12 Budget Review.

BACKGROUND

1. At the Special Council Meeting held on 29th June 2010, Council resolved at Item 6.1 (xii):

   One month before the scheduled quarterly review, council convene a meeting for the purpose of managing the budget and overseeing its progressive implementation.

2. The Audit Committee met on 4 October 2011.

3. The First Quarter Review of the 2011-12 Budget was presented and discussed at the 4 October 2011 Audit Committee meeting.

DISCUSSION

4. The net position of the Budget following the first quarterly 2011-12 Budget review is a surplus of xxxxx.

5. There were a number of required amendments resulting from changed circumstances since the 2011-12 Annual Budget was adopted.

CEO:	RESPONSIBLE OFFICER:

GOVERNMENT CONSULTATION

6. Nil

PUBLIC CONSULTATION / ENGAGEMENT

7. Nil

STATUTORY IMPLICATIONS

8. Under the Local Government Act, Section 6.8, a local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure:

   a. is incurred in a financial year before the adoption of the annual budget by the local government

   b. is authorised in advance by a resolution (absolute majority required) or

   c. is authorised in advance by the mayor in an emergency

STRATEGIC IMPLICATIONS

9. This item relates directly to the following elements of the City of Albany Strategic Plan (2011-2021*Community Vision:*

   Key Focus Area
   Organisational Performance

   Community Priority
   Financial Management

   Proposed Strategies
   Reduce debt through careful financial management, prioritisation of expenditure and investments in secure portfolios.

POLICY IMPLICATIONS

10. Nil

RISK IDENTIFICATION & MITIGATION

Risk	Likelihood	Consequence	Risk Rating	Mitigation
Council does not approve the First Quarter 2011-12 Budget Review	Unlikely	Moderate	Medium	The existing Annual Budget would apply and proposed amendments would not apply.

FINANCIAL IMPLICATIONS

11. A summary of the proposed First Quarter 2011-12 Budget Review follows:

	Original Budget	Current Budget	Proposed Q1 Budget	Variance from Current Budget
Office of the CEO	4,706,321	4,706,321		
Community Serv.	4,364,720	4,364,720		
Corporate Services	3,630,264	3,630,264		
Development Services	1,492,137	1,492,137		
Works & Services	15,374,415	15,374,415		
General Purpose Income	(28,837,247)	(28,837,247)		
Loans	863,730	863,730		
Total (Surplus)/Deficit	**1,594,340**	**1,594,340**		

LEGAL IMPLICATIONS

12. Nil

ALTERNATE OPTIONS

13. The First Quarter 2011-12 Budget Review is not adopted by Council and the proposed re-allocation of budget line items therefore could not be applied.

14. The First Quarter 2011-12 Budget Review may be adopted subject to specific changes directed by Council.

SUMMARY CONCLUSION

15. Nil

Consulted References	Adopted Budget 2011-12 Local Government Act 1995
File Number (Name of Ward)	FM.BUG.2
Previous Reference	• Annual Budget – OCM 9th August 2011

5.1: PROPOSED EXCISION OF PORTION OF RESERVE 14943 FOR DEDICATION AS ROAD RESERVE

Land Description	**:**	Portion of A class Reserve 14943, Mettler
Proponent	**:**	City of Albany
Owners	**:**	A class Reserve 14943 - Crown
Attachment(s)	**:**	Diagram depicting road re-alignment and changes to Crown A class Reserve 14943 (prepared by Harley Global)
Responsible Officer(s)	**:**	Chief Executive Officer (F James)

IN BRIEF

- Council's support is sought to excise portion of A class Reserve 14943 for dedication as a road reserve.

ITEM 5.1: RESPONSIBLE OFFICER RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

THAT Council:

i) SEEKS the Minister for Lands approval, under section 42(4) of the *Land Administration Act 1997,* to excise portion of A class Reserve 14943, as depicted in the plan attached;

ii) SEEKS the Minister for Lands approval, under section 56 of the *Land Administration Act 1997*, to dedicate the proposed land as road reserve, as depicted in the attached plan, as a public road;

iii) INDEMNIFIES the Minister for Lands from any claims for compensation, as is required under Section 56 of the *Land Administration Act 1997.*

CEO:	RESPONSIBLE OFFICER:

BACKGROUND

1. Grange Resources are developing an open pit magnetite mine at their Southdown Magnetite deposit near Wellstead, and will be pumping the slurry via a pipeline to the Albany Port. Grange also plans a desalination plant which will require pipe easements.

2. Grange Resources have been negotiating with the City to obtain legal access to various road reserves to progress the project.

DISCUSSION

3. As part of this negotiation process, Grange Resources have identified piping could follow the Cape Riche Road alignment, to a proposed desalination plant at Cape Riche.

4. A portion of the Cape Riche Road was constructed outside of the designated road reserve and is in A class Reserve number 14943. Information from the Department of Regional Development and Lands indicate the gravel road was first shown on their public plans in 1964.

5. The Department of Regional Development and Lands (DRDL) has advised, that while Landgate's public plan indicates Cape Riche Road is a dedicated road across A class Reserve 14943, it is a "Protected Road" listed on their 1964 Public Plan. Consequently, the road requires excision from the reserve and dedication as a public road.

GOVERNMENT CONSULTATION

6. The Department of Regional Development and Lands has been in discussions with Grange Resources representatives, and has advised a Council resolution is required to:

    a. Excise a portion of A class Reserve 14943 for a road reserve,
    b. dedicate the resultant land as a public road, and
    c. indemnify DRDL form any compensation claims.

PUBLIC CONSULTATION / ENGAGEMENT

7. While the City is not required by legislation to seek public comment for the excision of a portion of Reserve 14943 and dedication of the subsequent land as a public road, an advertisement will be placed in the local newspaper advising the public of its intention to remedy this historical error.

STATUTORY IMPLICATIONS

8. Section 42(4) of the *Land Administration Act 1997* allows the local government to request the Minister for Lands to excise an area from an A class reserve for the purpose of creating a road.

9. Section 56 of the *Land Administration Act 1997* allows the local government to request the Minister for Lands to dedicate land as a public road, and indemnify the Minister from any claim for compensation.

STRATEGIC IMPLICATIONS

10. This item directly relates to the following elements of the City of Albany Strategic Plan 2011-2012:

Key Focus Area
Lifestyle and Environment

Community Priority
Road Improvements

Proposed Strategies
Formalise public access of road reserves.

POLICY IMPLICATIONS

11. There are no policy implications relevant to this item.

RISK IDENTIFICATION & MITIGATION

12. The risk identification and categorisation relies on the City's Risk management Framework.

Risk	Likelihood	Consequence	Risk Rating	Mitigation
The provisions of the Land Administration Act 1997 are not appropriately addressed.	Unlikely	Moderate – Council has continued to maintain this gravel road for public access.	Medium	To comply with the requirements of the *Land Administration Act 1997* by Council resolution and advertising the proposal in local newspapers.

FINANCIAL IMPLICATIONS

13. Grange Resources representatives have advised that all costs relating to the survey requirements will be met by their client. The City will only incur the costs of advertising, which will be covered in the current budget from Land Acquisition account 131340.

LEGAL IMPLICATIONS

14. This item will facilitate compliance with the legislative requirements of the *Land Administration Act 1997*.

ALTERNATE OPTIONS

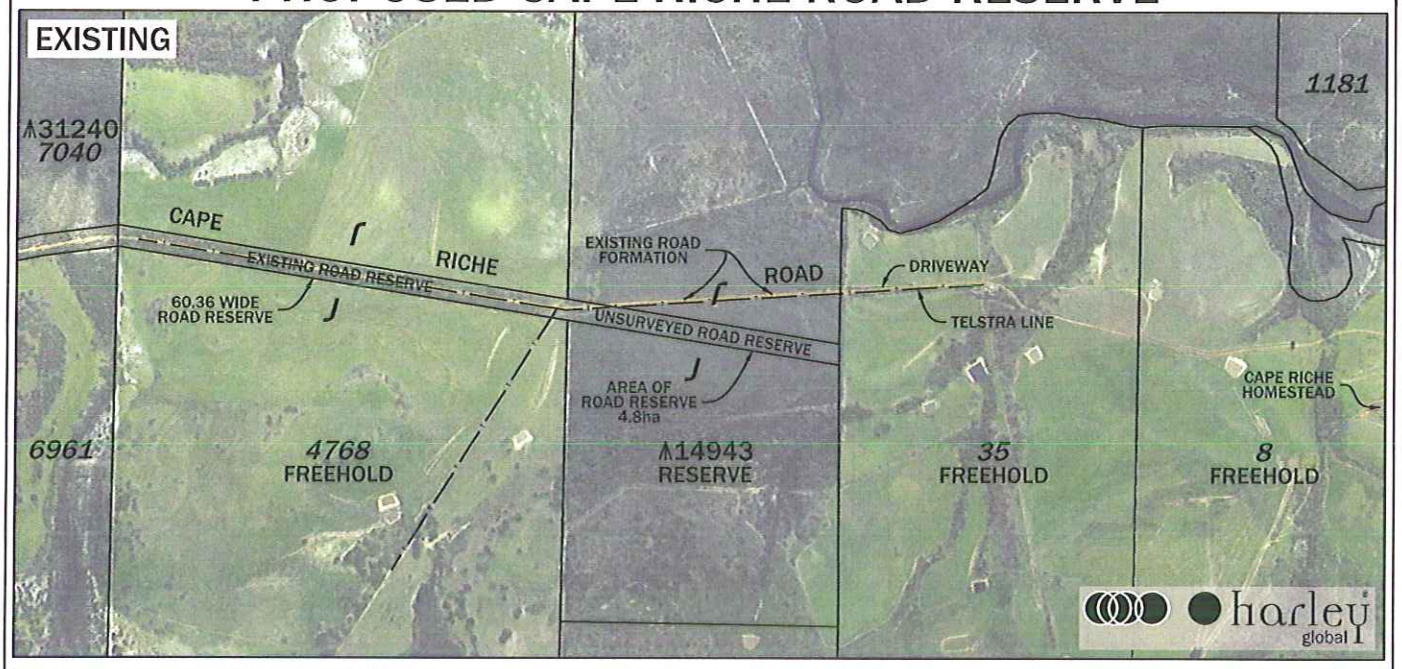
15. If the road is left as is, then the Department of Regional Development and Lands advice is this road is not legally available for public access.

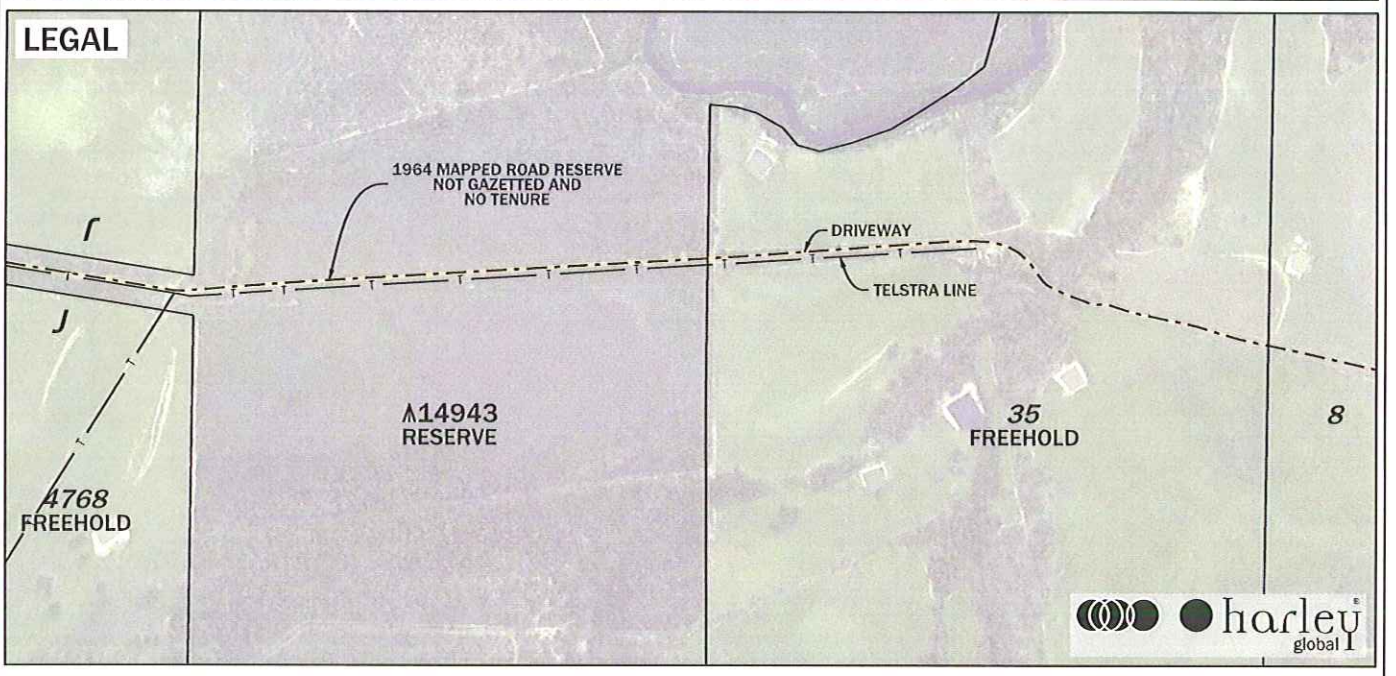
SUMMARY CONCLUSION

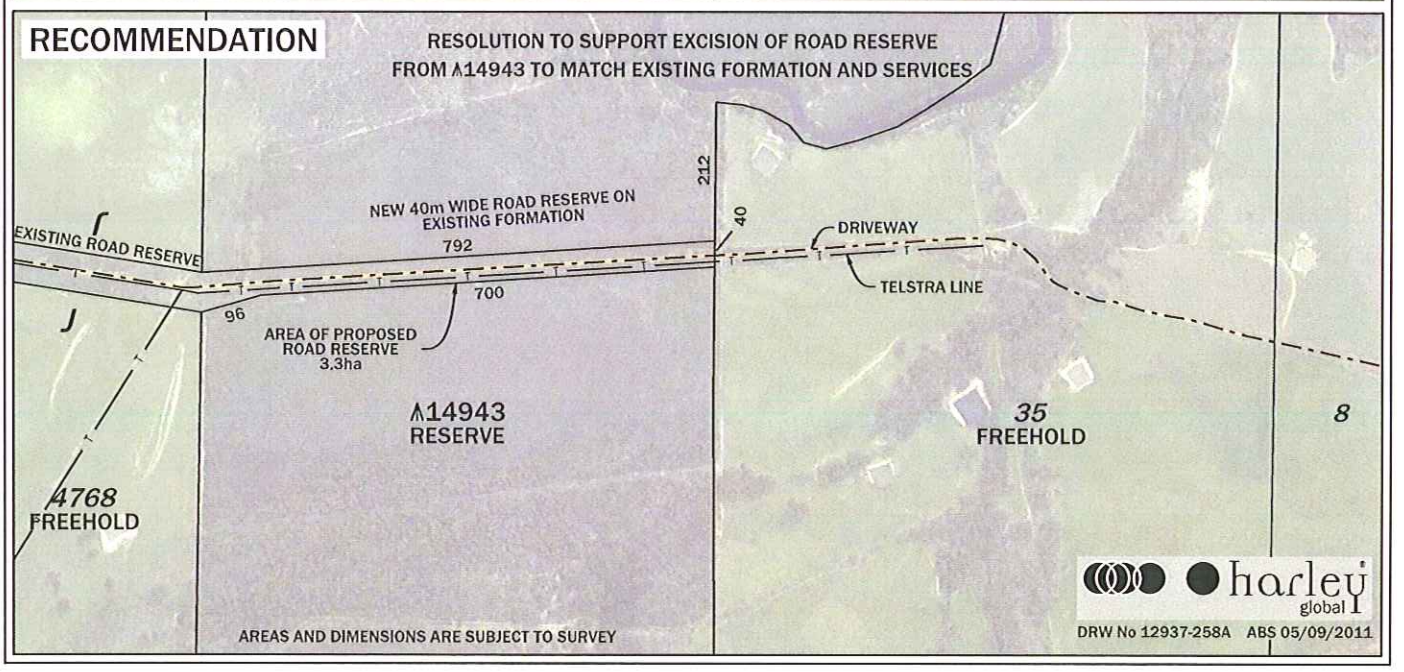
16. The resolution of Council will ensure compliance with the *Land Administration Act 1997* and will meet the requirements of the Department for Regional Development and Lands.

Consulted References	Land Administration Act 1997
File Number (Name of Ward)	RD.ACQ.1 (Kalgan Ward)
Previous References	Nil

PROPOSED CAPE RICHE ROAD RESERVE







5.2: PUBLIC NOTICE OF CLOSURE OF CLYDESDALE ROAD AT SOUTH COAST HIGHWAY

Proponent : Main Roads WA
Owner : City of Albany
Attachment : McKail Street Map
Responsible Officer : Chief Executive Officer (F James)

IN BRIEF

- The local public notice of closure of a thoroughfare being the southern end of Clydesdale Road at South Coast Highway. The closure has previously been approved by Council as part of the McKail Local Structure Plan.

ITEM 5.2: RESPONSIBLE OFFICER RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

THAT Council:

i. In accordance with Section 3.50 of the *Local Government Act 1995*, proceed with the local public notice of the closure of Clydesdale Road at its intersection with South Coast Highway; and

ii. Authorise staff to finalise the closure.

CEO:	RESPONSIBLE OFFICER:

BACKGROUND

1. As part of the approved subdivision works being undertaken by Department of Housing in McKail, Main Roads Western Australia have conditioned that the access from South Coast Hwy to Clydesdale Road be closed off and a new intersection and access road (Englehart Drive) be constructed.

2. This proposed closure is included in the Local Structure Plan for Lots 1, 2 and 3 South Coast Highway, McKail. This Plan was advertised and subsequently adopted by Council at the March 2010 Ordinary Council meeting.

3. At the June 2011 Council meeting, the staff recommendation was:

   "THAT Council:

   i. In accordance with Section 3.50 of the *Local Government Act 1995*, proceed with the local public notice of the closure of Clydesdale Road at its intersection with South Coast Highway;

   ii Authorise staff to finalise the closure."

   Council resolved –
   "THAT this Item lay on the table for a period of one month for public consultation"

DISCUSSION

4. As part of the development of the McKail Structure Plan a traffic study was undertaken. The following comment was made in that study. "The removal of the existing four-way intersection in South Coast Highway is considered to be a major safety benefit for the highway." The results of this study are incorporated into the road layout in the Structure Plan.

5. In accordance with Council direction, the proposal to close the access from South Coast Hwy to Clydesdale Road was advertised in the local newspaper, with a deadline for comments set at 1 September 2011. Only two submissions were received, one supportive and the other objecting to the proposal.

6. The road closure will turn the existing four way intersection of South Coast Highway, Balston Road, and Clydesdale Road into a three way intersection approximately 150 metres further west. This should improve road safety and traffic flow at the intersection.

7. Some traffic travelling between Pegasus Boulevard and South Coast Highway (east) may decide to use alternative routes, including Boundary Road and Costigan Street rather than Engleheart Drive. Traffic counts will be undertaken on these roads before and following the closure to determine the extent of this.

8. The newly constructed three way intersection should also provide access for traffic to the new subdivision areas around McKail.

9. Main Roads is able to close access to South Coast Highway from Clydesdale Rd under its own legislative powers. However, because Clydesdale Road is a local road, the City should ensure compliance with the *Local Government Act 1995* notifying the public of the closure.

GOVERNMENT CONSULTATION

10. Main Roads WA has been sent a copy of the contents of the notice of closure as required by Section 3.50 of the *Local Government Act, 1995*.

11. Notification has been given to other Government agencies that may be affected by the closure including Police, Fire Services, Ambulance Services, Water Corporation, and Western Power.

PUBLIC CONSULTATION / ENGAGEMENT

12. Public consultation occurred as part of the finalisation of the Local Structure Plan for Lots 1, 2 and 3 South Coast Highway McKail. To comply with the specific requirements of the *Local Government Act* on closure of thoroughfares, a 35 day public submission period was advertised in local newspapers, closing on 1 September 2011.

13. Two submissions were received –
    a. One supported the proposed closure, and
    b. One opposed the proposal, preferring the City use improved road signage to control traffic.

STATUTORY IMPLICATIONS

14. Section 3.50 of the Local Government Act, 1995, -

"3.50 Closing certain thoroughfares to vehicles

(1) A local government may close any thoroughfare that it manages for the passage of vehicles, wholly or partially, for a period not exceeding 4 weeks.

(1a) A local government may, by local public notice, order that a thoroughfare that it manages is wholly or partially closed to the passage of vehicles for a period exceeding 4 weeks.

(2) The order may limit the closure to vehicles of any class, to particular times, or to such other case or class of case as may be specified in the order and may contain exceptions.

[(3) repealed]

(4) Before it makes an order wholly or partially closing a thoroughfare to the passage of vehicles for a period exceeding 4 weeks or continuing the closure of a thoroughfare, the local government is to-

(a) give local public notice of the proposed order giving details of the proposal, including the ocation of the thoroughfare and where, when, and why it would be closed, and inviting submissions from any person who wishes to make a submission:

(b) give written notice to each person who-

(i) is prescribed for the purposes of this section; or
(ii) owns land that is prescribed for the purposes of this section; and

(c) allow a reasonable time for submissions to be made and consider any submissions made.

(5) The local government is to send to the Commissioner of Main Roads appointed under the Main Roads Act 1930 a copy of the contents of the notice required by subsection (4)(a).

(6) An order under this section has effect according to its terms, but may be revoked by the local government, or by the Minister, by order of which the local public notice is given.

(7) repealed]

(8) If, under subsection (1), a thoroughfare is closed without giving local public notice, the local government is to give local public notice of the closure as soon as practicable after the thoroughfare is closed.

(9) The requirement in subsection (8) ceases to apply if the thoroughfare is reopened."

STRATEGIC IMPLICATIONS & ALIGNMENT TO CORPORATE PLAN

15. This item directly relates to the following elements of the City of Albany Strategic Plan 2011-2021:

Key Focus Area
Lifestyle and Environment

Community Priority
Road Improvements

Proposed Strategies
Advocate to Main Roads for improvements to South Coast Highway.

POLICY IMPLICATIONS

16. There are no policy implications.

RISK IDENTIFICATION & MITIGATION

17. The risk identification and categorisation relies on the City's Risk Management Framework.

Risk	Likelihood	Consequence	Risk Rating	Mitigation
Clydesdale Rd remains open and the 4 way intersection results in traffic accidents	Possible	Medium	High	Close Clydesdale Rd
A significant amount of traffic uses other local roads to access McKail rather than Engleheart Rd	Possible	Medium	High	Compare traffic counts before and after the closure. Investigate traffic management measures if a problem.

FINANCIAL IMPLICATIONS

18. All costs involved with the closure of the intersection are to be borne by the developer, Department of Housing.

LEGAL IMPLICATIONS

19. The McKail Structure Plan which has been adopted by Council, and endorsed by the Western Australian Planning Commission on 17 February 2011, sets the subdivision pattern for the locality. It provides guidance for future subdivisions and ensures they are in accordance with the intentions and objectives approved by Council.

20. The McKail Structure Plan seeks to provide the necessary planning framework for a 40 hectares portion of land bounded by Gregory Road, Clydesdale Road, South Coast Highway and the special residential development contiguous with the western boundary of the subject land.

21. Should the proposed closure of Clydesdale Road not be implemented, then the Council approved land use and infrastructure requirements detailed in the McKail Structure Plan would be compromised.

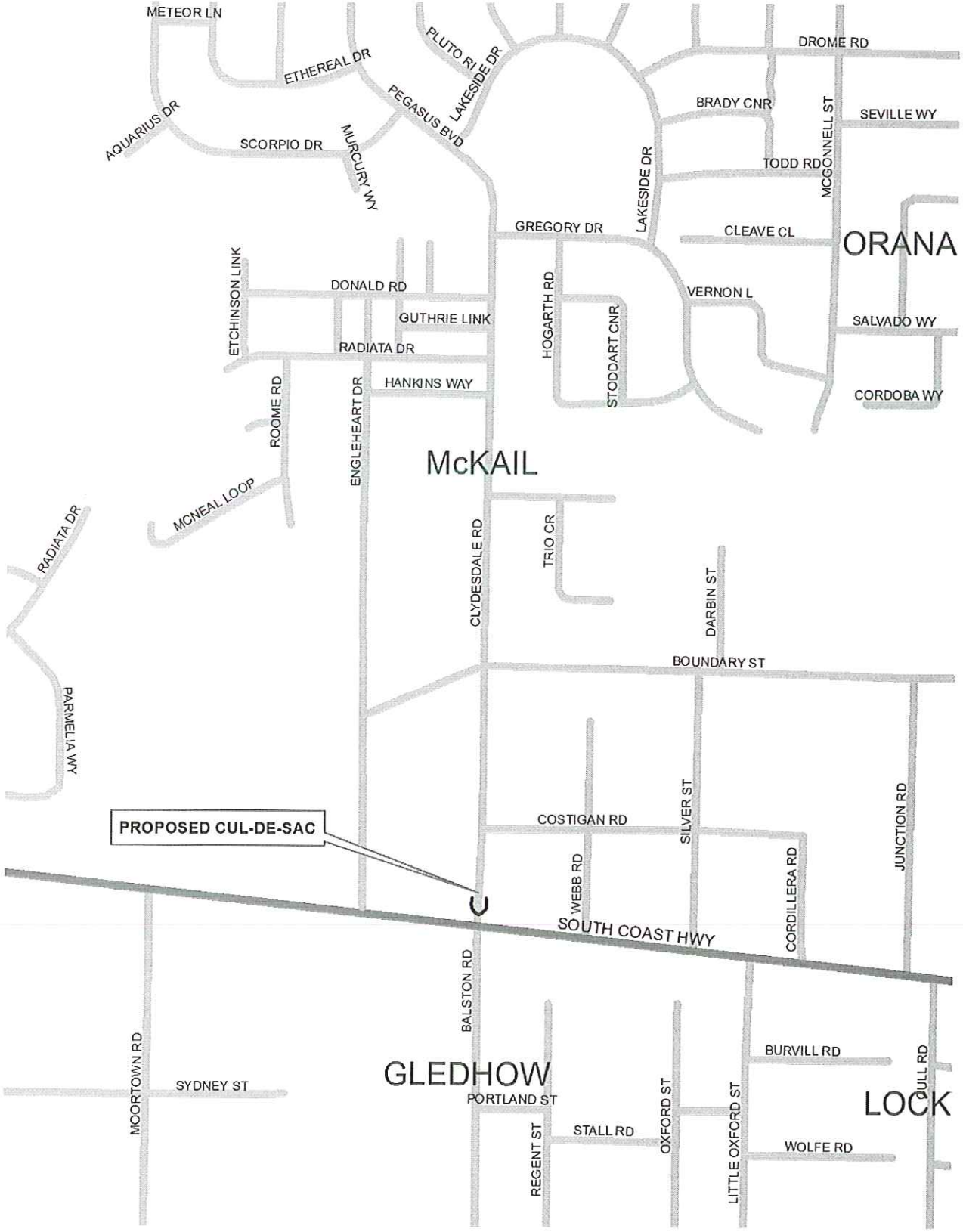
ALTERNATE OPTIONS

22. Decline to close Clydesdale Road at its intersection with South Coast Highway. This will likely cause Main Roads to use its powers to close the road.

SUMMARY CONCLUSION

23. The Council has previously adopted the Local Structure Plan for Lots 1, 2 and 3 South Coast Highway McKail which requires the closure of Clydesdale Road at South Coast Highway. Little community objection has been received to this proposed closure.

File Number (Name of Ward)	ODP012 (Kalgan Ward)
Previous Reference	OCM 16/03/10 - Item 13.5.1; OCM 21/06/11 - Item 5.5



CLYDESDALE ROAD - PROPOSED CUL-DE-SAC

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This map has been produced by the City of Albany from a range of agencies. The City bears no responsibility for the accuracy of this information and accepts no responsibility for its use by other parties.

Albany

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XIV. MOTIONS WITH NOTICE

XV. MOTIONS OF WHICH NOTICE WAS GIVEN AT THE PREVIOUS MEETING

XVI. URGENT BUSINESS TO BE APPROVED BY DECISION OF THE MEETING

XVII. REQUEST FOR REPORTS FOR FUTURE CONSIDERATION.

Nil

XVIII. ANNOUNCEMENT OF NOTICES OF MOTION TO BE DEALT WITH AT THE NEXT MEETING.

Nil

XIX. ITEMS TO BE DEALT WITH WHILE THE MEETING IS CLOSED TO MEMBERS OF THE PUBLIC

XX. NEXT ORDINARY MEETING DATE

Tuesday 15 November 2011 at 7pm.

XXI. CLOSURE OF MEETING

APPENDIX A

STATUS REPORT ON DEFERRED ITEMS FROM PREVIOUS MEETINGS

Meeting Date	Item Number	Details/Status
15/06/2010	15.2.3	Lot 5 Rufus Street - Claim for Subdivision Design Changes. **CEO LIAISING WITH LAND OWNER/DEVELOPER REGARDING POSSIBLE SOLUTIONS.**
16/11/2010	2.6	Surrender Lease over Hangar Site 2 at Albany Airport. **REQUIRES FURTHER CONSIDERATION BY COUNCIL PENDING THE COMPLETION OF THE AIRPORT MASTERPLAN/BUSINESS PLAN.**
15/02/2011	4.11	Padre White Lookout Project. CEO to undertake further investigation of this project, including detailed budget analysis for project scope and provide further advice to council**. AWAITING ANZAC ALLIANCE PROGRESS.**
19/04/2011	4.7	Audit Committee Recommendations. That Council request the Chief Executive Officer to further review the investment of Surplus Funds Policy through the Finance Strategy Committee, prior to recommendation to Council. **PENDING. - AWAITING DEVELOPMENT OF FIVE YEAR (FINANCE) PLAN.**
17/05/2011	3.1	Albany Leisure and Aquatic Centre. That the Business Plan be Brought back to Council for the Approval of the Recommendation. **PENDING COMPLETION OF BUSINESS PLAN TO BE PRESENTED TO FUTURE OCM.**
July 2010	18.3	Notice of Motion by Councillor Paver-Review Standing Orders Local Law 2009 before the December 2010 Council Meeting. **PENDING. – EXPECTED TO BE CONSIDERED AT OCTOBER 2011 OCM.**
16/08/2011	15.4	Notice of Motion by Councillor J Bostock-Allocation of Public Open Space Funds to Mills Park, Little Grove. **DEFERRED-THIS MATTER TO BE BROUGHT BACK TO COUNCIL AT A FUTURE MEETING WITH MORE INFORMATION TO BE PROVIDED.**
20/09/2011	2.2	Development Application-Junk Yard (Timber Salvage Only)-235-239 Ulster Road, Collingwood Heights **LAID ON THE TABLE FOR A FURTHER MONTH TO ALLOW THE CITY TO MAKE FURTHER ENQUIRIES.**